

**From:** [Jere L Dick](#)  
**To:** [Andrea C McNally](#); [Bill Clay](#); [Cindy J Smith](#); [Jane E Levy](#); [Kevin A Shea](#); [Sharon M Coursey](#)  
**cc:** [John Clifford](#); [Catherine S Fulton](#); [Sharon S Fisher](#); [Michael R Doerr](#); [Larry M Granger](#)  
**Subject:** As Requested: Summary of Imported Poultry Products From China  
**Date:** 01/27/2009 03:22 PM

---

Hi Bill,

Here is a brief summary of the Chicken Bouillon issue we spoke about this afternoon.

- NCIE was recently contacted by Steve McDermott, Executive Associate, Office of Internal Affairs, FSIS regarding VS Permit #C-8555 issued for Granulated Chicken Bouillon from China. The shipment entered with a valid VS Permit and an export veterinary health certificate meeting APHIS regulations. All commercial VS permits for meat products have the following language: "*Importer is responsible for obtaining any required authorization from the USDA, Food Safety and Inspection Service (FSIS). FSIS may have specific public health requirements apart from USDA's animal health requirements. Importer to contact [(202) 720-6400]*".
- FSIS refused entry of the shipment of chicken bouillon because it did not meet their import requirements outlined in FSIS regulation [9 CFR 381.15(a)(3)], that both FDA and FSIS amenable imported poultry products must be sourced from poultry slaughtered in the U.S. or in another country having an equivalent poultry slaughter inspection program (today those countries are Canada, Chile, France, and Israel).
- Prior to 2008, there were FSIS approved facilities in China for poultry meat. However, FSIS delisted all Chinese facilities sometime in 2008. Therefore, the Chinese facility at which the bouillon was produced no longer meets FSIS regulations. APHIS-VS does not have a record of notification of delisting.
- Followup with FSIS indicates that in 2008, after Chinese facilities were delisted by FSIS, FSIS took action on several Chinese shipments by detaining product.
- Until recently, the importer involved in this case has voluntarily destroyed product that FSIS deemed ineligible. But now, the law firm representing the shipper of the bouillon advised FSIS that their client has several thousand pounds on voluntary hold and would like to re-export the product back to China in lieu of destroying.

- On Friday, January 16, 2009, FSIS met with Foley & Lardner law firm regarding this shipment. The client, (Kari-Out Co., New Jersey) had previously imported Chicken Base, Chicken Bouillon, and other chicken products from a company in Shanghai, China under a VS permit. This imported product had been amenable to FSIS and met both APHIS and FSIS requirements.
- APHIS has no issue with the company re-exporting the product. Their ability to do so depends on FSIS.
- Meanwhile, APHIS and FSIS are meeting to discuss this specific situation and discuss in general how we can work together to prevent future shipments of non eligible product from entering the U.S. The law firm provided FSIS with samples of their client's product as well as samples of similar poultry products being imported into the U.S.
- FSIS did meet with APHIS in Riverdale over a year ago and presented the same issue, and an additional recommendation (In addition to the importer's responsibility to call FSIS) was tendered to incorporate a function in ePermits where the application would go to FSIS before APHIS could draft the final permit. This function would allow FSIS time to determine whether the product was amenable or not before APHIS issued the permit. However, FSIS never proceeded with the project because they could not determine how it was going to be funded. The FSIS DC Office is currently copied on the permit distribution.
- VS issues permits based on animal health concerns, not human health concerns. However, we try very hard to work with our sister agencies FSIS and FDA when drafting permits by placing language on the permits to inform importers to contact the appropriate Agency(s).
- Based on the fact that this product does not meet FSIS requirements, they will take the lead on disposition.
- Dr. Karen James Preston, NCIE Director, will meet again with Steve McDermott to determine a way forward regarding the permit process.

We will not only be meeting with our FSIS counterparts, but we are also working to compile a list of valid APHIS import permits for poultry products from China that need to meet FSIS requirements; we will forward that list to them as soon as possible.

If you have any other questions, we'll be glad to discuss.

---

Jere L. Dick, DVM  
Associate Deputy Administrator

Chief of Field Operations  
USDA-APHIS-Veterinary Services  
Washington DC, 20250  
Telephone: 202-720-5193  
Facsimile: 202-690-4171

**From:** [Jere L Dick](#)  
**To:** [Larry M Granger](#); [Michael R Doerrer](#)  
**cc:** [Sharon S Fisher](#); [Catherine S Fulton](#); [John Clifford](#); [Thomas J Myers](#)  
**Subject:** Fw: As Requested: Summary of Imported Poultry Products From China  
**Date:** 01/27/2009 04:48 PM

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As discussed,

I just came from a meeting with Administrator Almanza, FSIS, and Bill Clay, Acting Associate Administrator. Almanza has already gone to the Secretary about this and given him a heads-up, and we will need to scramble our troops to get the information I talked about with you prepared. The Secretary indicated that he was going to call DeLaurio and let her know about the shipment(s) at some point. I suspect she will not be understanding of how this could happen.

Please determine:

1. The number of Certificates (Import Permits) issued for importation of Poultry Products since the DeLaurio bill was passed disallowing poultry/ products importation from China (about September 2007 according to Almanza). We will need to have a list (and copy) of the Permit Numbers/ Companies/etc.
2. The number of shipments, total product, product type, import date, etc. related to those issued Certificates.

Obviously, we need to immediately stop issuing these permits. Obviously, this will take collaborative work with VRS and FSIS, and others.

I suggest you also meet immediately with FSIS (and FDA, if necessary) to identify a way to prevent this from happening again. I don't know why we would need to rely upon FSIS personal notification of NCIE for FSIS "listed plants" when they are on their website??.....but I may be missing something in that regard.

I would like to shoot for having all the information here by noon tomorrow. Thanks!

---

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----- Forwarded by Jere L Dick/MD/APHIS/USDA on 01/27/2009 04:33 PM -----

**Jere L Dick/MD/APHIS/  
USDA**

To APHIS OA

01/27/2009 03:22 PM

cc John Clifford/MD/APHIS/USDA@USDA, Catherine S Fulton/MD/APHIS/USDA@USDA, Sharon S Fisher/MD/APHIS/USDA@USDA, Michael R Doerrner/MD/APHIS/USDA@USDA, Larry M Granger/CO/APHIS/USDA@USDA

Subject As Requested: Summary of Imported Poultry Products From China

Hi Bill,

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longer meets FSIS regulations. APHIS-VS does not have a record of notification of delisting.

- Followup with FSIS indicates that in 2008, after Chinese facilities were delisted by FSIS, FSIS took action on several Chinese shipments by detaining product.
- Until recently, the importer involved in this case has voluntarily destroyed product that FSIS deemed ineligible. But now, the law firm representing the shipper of the bouillon advised FSIS that their client has several thousand pounds on voluntary hold and would like to re-export the product back to China in lieu of destroying.
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If you have any other questions, we'll be glad to discuss.

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Telephone: 202-720-5193  
Facsimile: 202-690-4171

**From:** [Jere L Dick](#)  
**To:** [Kevin A Shea](#)  
**cc:** [Andrea C McNally](#); [Bill Clay](#); [Cindy.Smith@osec.usda.gov](mailto:Cindy.Smith@osec.usda.gov); [Jane E Levy](#); [Kevin A Shea](#); [Sharon M Coursey](#); [John Clifford](#); [Catherine S Fulton](#)  
**Subject:** Re: Chinese poultry products  
**Date:** 02/06/2009 04:19 PM

---

Thanks, Kevin. I noted that FDA is also chatting with their folks about the same thing.....hopefully, we get the same answer. :-)

---

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▼ [Kevin A Shea/MD/APHIS/USDA](#)

**Kevin A Shea/MD/APHIS/USDA**

02/06/2009 04:17 PM

To Jere L Dick/MD/APHIS/USDA@USDA

cc APHIS OA

Subject Chinese poultry products

Just to let you know, I have chatted with OBPA about getting a read on the appropriations law restriction (trying to determine its applicability to non-human use products). I'll let you know when I hear something.

**From:** [Jere L. Dick](#)  
**To:** [Derfler, Philip](#)  
**cc:** [Jere.Dick@aphis.usda.gov](mailto:Jere.Dick@aphis.usda.gov); [Hicks, Ron](#); [Sharon M Coursey](#); [dindy.smith@osec.usda.gov](mailto:dindy.smith@osec.usda.gov); [beth.gaston@osec.usda.gov](mailto:beth.gaston@osec.usda.gov); [John Clifford](#); [Catherine S Fulton](#); [Lamy M Granger](#)  
**Subject:** Re: FW: Policy on Products Containing Small Amounts of Poultry.doc  
**Date:** 02/05/2009 06:04 PM  
**Attachments:** [Policy on Products Containing Small Amounts of Poultry.doc](#)

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Thank you Phil. I believe that your change addressed my concern. I appreciate the opportunity to respond.

---

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Facsimile: 202-690-4171

This section is being referred to FSIS.

**From:** [Jere L Dick](#)  
**To:** [Thomas J Myers](#)  
**cc:** [Catherine S Fulton](#); [John Clifford](#); [Larry M Granger](#); [Michael R Doerrer](#)  
**Subject:** Re: Fw: USDA Import Issue with Heparin- URGENT  
**Date:** 02/06/2009 11:08 AM  
**Attachments:** [Heparin 2-6-09 v2.doc](#)

---

Perfect, TJ. As always, thanks for the prompt research and response. I will let you know if there are followup questions.

---

Jere L. Dick, DVM  
Associate Deputy Administrator  
Chief of Field Operations  
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▼ [Thomas J Myers/MD/APHIS/USDA](#)

**Thomas J Myers/MD/  
APHIS/USDA**

02/06/2009 10:56 AM

To Jere L Dick/MD/APHIS/USDA@USDA

cc Catherine S Fulton/MD/APHIS/USDA@USDA, John Clifford/MD/APHIS/USDA@USDA, Larry M Granger/CO/APHIS/USDA@USDA, Michael R Doerrer/MD/APHIS/USDA@USDA

Subject Re: Fw: USDA Import Issue with Heparin- URGENT

Hi Jere -

Karen and I spoke with Dominique Veneziano in FDA this morning. The attached summary comes from that conversation. We also discussed the heparin issue with Steve McDermott, FSIS, to confirm they have no jurisdiction over this material. Please let me know if this meets your needs. Sorry we could not get this to you by 10:30 - FDA was not available to speak to us until 9:45.

TJ



Heparin 2-6-09 v2.doc

\*\*\*\*\*

Dr. T.J. Myers, Deputy Director for Science and Technology

National Animal Health Policy and Programs  
USDA, APHIS, Veterinary Services  
4700 River Road; Unit 33  
Riverdale, MD 20737

Desk: 301-734-7677  
Cell: 240-506-3865

▼ Jere L Dick/MD/APHIS/USDA

**Jere L Dick/MD/APHIS/  
USDA**

To Thomas J Myers/MD/APHIS/USDA@USDA, Larry M  
Granger/CO/APHIS/USDA@USDA

02/06/2009 07:54 AM

cc Michael R Doerrner/MD/APHIS/USDA@USDA,  
Catherine S Fulton/MD/APHIS/USDA@USDA, John  
Clifford/MD/APHIS/USDA@USDA

Subject Fw: USDA Import Issue with Heparin- URGENT

FYI, and followup to my previous email....Knowing the nature of the environment

I suspect we will get a constant stream of questions on this one, such as:

If it was one of the recent 29 permits, which one?

Are there other permits for the animal product that would be affected regarding heparin in the remaining permits we are anticipating canceling with FSIS?

Should we be recommending/pushing for a similar resolution with FDA regarding review of our permits that pertain to human consumption? ie. issuing permits together.

Or is the system working for us with regard to FDA?

How much product/value are we talking about if the Administration does have talks with FDA and cancels permits for human consumption? ie the other half of the pie

What kinds of products specifically would we be canceling?

I know this is a real challenge, but wanted you to be thinking about approaches, because it may be coming.....

---

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----- Forwarded by Jere L Dick/MD/APHIS/USDA on 02/06/2009 07:45 AM -----

**"Smith, Cindy" <Cindy.Smith@osec.usda.gov>**  
Sent by: "Gaston, Beth" <Beth.Gaston@osec.usda.gov>

To Jere.L.Dick@aphis.usda.gov, Andrea.C. McNally@aphis.usda.gov, Bill.Clay@aphis.usda.gov, "Smith, Cindy" <Cindy.Smith@osec.usda.gov>, Jane.E.Levy@aphis.usda.gov, Kevin.A.Shea@aphis.usda.gov, Sharon.M.Coursey@aphis.usda.gov

02/05/2009 07:44 PM

cc John.Clifford@aphis.usda.gov, Catherine.S.Fulton@aphis.usda.gov, "Gaston, Beth" <Beth.Gaston@osec.usda.gov>

Subject RE: USDA Import Issue with Heparin- URGENT

Hi everyone ..

I think we need a bit more specific information here.

The issues with heparin started ~ January of last year, when CDC documented many severe problems in patients using heparin (drug thinner, used by virtually everyone on dialysis, patients undergoing surgery, and people with some kinds of heart diseases). Baxter (formerly the maker of ~ 1/2 of the U.S. supply of heparin) recalled just about everything in January and February, 2008.

Heparin is (WAS??) sourced from pig intestines; it turns out a cheaper

molecule that mimics the active ingredient, oversulfated chondroitin sulfate, was being substituted. FDA indicated they believe this mimic caused the rxns, and ultimately the media reported that 81 deaths and ~800 severe allergic reactions were linked to this adulterated product.

Not sure how poultry comes into play (perhaps it is a more recent source?), but I think we need more background from FDA

B

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**From:** Jere.L.Dick@aphis.usda.gov [mailto:Jere.L.Dick@aphis.usda.gov]  
**Sent:** Thursday, February 05, 2009 7:06 PM  
**To:** Andrea.C.McNally@aphis.usda.gov; Bill.Clay@aphis.usda.gov; Smith, Cindy; Jane.E.Levy@aphis.usda.gov; Kevin.A.Shea@aphis.usda.gov; Sharon.M.Coursey@aphis.usda.gov  
**Cc:** John.Clifford@aphis.usda.gov; Catherine.S.Fulton@aphis.usda.gov  
**Subject:** Fw: USDA Import Issue with Heparin- URGENT

Hi Bill,

This may come up tomorrow in discussions around the continuing poultry saga with China.

---

Jere L. Dick, DVM  
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Facsimile: 202-690-4171

----- Forwarded by Jere L Dick/MD/APHIS/USDA on 02/05/2009 07:03 PM -----

**Catherine S Fulton/MD/APHIS/  
USDA**

To Jere L Dick/MD/APHIS/USDA

02/05/2009 05:57 PM

cc Thomas J Myers/MD/APHIS/USDA, Larry M Granger/  
CO/APHIS/USDA

Subject Fw: USDA Import Issue with Heparin- URGENT

Fyi

----- Original Message -----

**From:** Lynn Alfalla

**Sent:** 02/05/2009 05:51 PM EST

**To:** Karen James-Preston; Michael Doerrler; Tracye  
Butler; Christopher Robinson

**Cc:** John Greifer; Catherine Fulton; Russell Caplen

**Subject:** Fw: USDA Import Issue with Heparin- URGENT

Karen:

This is the issue I left you a voice mail about just a little while ago. Michelle Limonli from FDA is urgently trying to enlist assistance from FSIS and APHIS as there is a pending shortage of heparin, which China will no longer be able to provide us. Please see her incoming message below.

Bob Macke from FAS is coordinating with FSIS. Russ will coordinate with your office on this issue.

Thanks,  
Lynn

Lynn I. Alfalla, Esq.  
Trade Support Team  
USDA APHIS IS

PH: 202/720-6315  
FX: 202/690-2861  
Lynn.Alfalla@aphis.usda.gov

----- Forwarded by Lynn Alfalla/MD/APHIS/USDA on 02/05/2009 05:39 PM -----

This section is being referred to FAS.

This section is being referred to FDA.

**From:** [Jere L Dick](#)  
**To:** [Hamilton, Clay](#)  
**cc:** [Berman, Dan](#); [Wetzel, Howard](#); [Greifer, John K](#); [Larry.M.Granger@aphis.usda.gov](mailto:Larry.M.Granger@aphis.usda.gov); [Sheikh, Pat](#); [Derfler, Philip](#); [Ronald.Jones@fsis.usda.gov](mailto:Ronald.Jones@fsis.usda.gov); [Caplen, Russell T](#); [Hawkins, Stephen](#); [John Clifford](#); [Catherine S Fulton](#)  
**Subject:** Re: Meeting with Chinese Embassy this afternoon  
**Date:** 02/09/2009 01:19 PM

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Thank you Clay. I have a meeting at 3 pm today that I need to attend. If you can identify the issues, we would be happy to meet and discuss further, as necessary.

PS: Late in the week, mention was made of having a followup meeting with FSIS, FAS, APHIS sometime early in the week. Has that been set up?

---

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Facsimile: 202-690-4171

This section is being referred to FAS.

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**From:** [Jere L Dick](#)  
**To:** [Andrea C McNally](#); [Bill Clay](#); [Cindy.Smith@osec.usda.gov](mailto:Cindy.Smith@osec.usda.gov); [Jane E Levy](#); [Kevin A Shea](#); [Sharon M Coursey](#)  
**cc:** [Catherine S Fulton](#)  
**Subject:** Fw: Permit Documents - meeting tonight?  
**Date:** 03/04/2009 07:43 AM

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FYI...I Plan on attending for VS.

---

Jere L. Dick, DVM  
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----- Forwarded by Jere L Dick/MD/APHIS/USDA on 03/04/2009 07:41 AM -----

This section is being referred to FSIS.

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This section is being referred to FSIS. (b)(6)

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This section is being referred to FSIS.

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This section is being referred to FAS.

(b)(6)

(b)(6)

This section is being referred to FSIS.

(b)(6)

This section is being referred to FSIS.

**From:** [Jere L Dick](#)  
**To:** [Andrea C McNally](#); [Bill Clay](#); [Cindy.Smith@osec.usda.gov](#); [Jane E Levy](#); [Kevin A Shea](#); [Sharon M Coursey](#); [Clay.Hamilton@FAS.usda.gov](#); [Ronald.Jones@FSIS.usda.gov](#)  
**cc:** [John Clifford](#); [Catherine S Fulton](#); [Bethany X Jones](#); [Abbey L Shaffer](#); [Ed C Curlett](#)  
**Subject:** FYI: excel spreadsheet tally for permits  
**Date:** 03/19/2009 05:49 PM  
**Attachments:** [090319 FSIS permits 2009.xls](#)

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FOR INTERNAL USE ONLY

Just wanted folks to know we made a dent in the permit stack today.

---

Jere L. Dick, DVM  
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----- Forwarded by Jere L Dick/MD/APHIS/USDA on 03/19/2009 05:43 PM -----

**Karen A James-Preston/  
MD/APHIS/USDA**

03/19/2009 05:40 PM

To Jere L Dick/MD/APHIS/USDA@USDA

cc Thomas J Myers/MD/APHIS/USDA@USDA, Michael J David/MD/APHIS/USDA@USDA, Christopher C Robinson/MD/APHIS/USDA@USDA, Tracye R Butler/MD/APHIS/USDA@USDA

Subject Fw: excel spreadsheet tally for fsis permits

Jere,

Attached is an excel spread sheet of the number of permits issued today.

- 28 Permits issued (Renewal, New and/or Amendment)
- 8 Countries (China-5, Japan-6, S. Korea-12, Jordan-1, Thailand-1, Philippines-1 Taiwan-1, Italy-1)



090319 FSIS permits 2009.xls

Hopefully we can get more out tomorrow. The 2 permits that were cancelled, which contained US origin poultry products, will be reissued tomorrow.

Sincerely,

Karen A. James-Preston, DVM, MPA  
Director, TTST, Animal Products  
National Center for Import and Export  
Veterinary Services, APHIS  
(301) 734-8172 Desk  
(301) 734-6354 Fax

**From:** [Jere L Dick](#)  
**To:** [Andrea C McNally](#); [Bill Clay](#); [Cindy.Smith@osec.usda.gov](mailto:Cindy.Smith@osec.usda.gov); [Jane E Levy](#); [Kevin A Shea](#); [Sharon M Coursey](#)  
**cc:** [Catherine S Fulton](#)  
**Subject:** FYI: Update on 2%  
**Date:** 03/19/2009 11:49 AM  
**Attachments:** [90 day TPS 03 19 09.doc](#)

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FYI.....just keeping you in the loop.

---

Jere L. Dick, DVM  
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----- Forwarded by Jere L Dick/MD/APHIS/USDA on 03/19/2009 11:46 AM -----

This section is being referred to FAS.

This section is being referred to FAS.

This section is being referred to FAS.

**From:** [Jere L Dick](#)  
**To:** [Derfler, Philip](#)  
**cc:** [Clay.Hamilton@fas.usda.gov](mailto:Clay.Hamilton@fas.usda.gov)  
**Subject:** RE: 2% TPs  
**Date:** 03/19/2009 10:16 AM

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Agreed.

---

Jere L. Dick, DVM  
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This section is being referred to FSIS.

This section is being referred to FAS.

This section is being referred to FAS.

This section is being referred to USTR.

**From:** [Jere L Dick](#)  
**To:** [Blake, Carol](#)  
**cc:** [Jones, Ronald](#); [Clay Hamilton](#); [Thomas J Myers](#)  
**Subject:** Re: ACTION: update on import permit briefing  
**Date:** 03/20/2009 04:20 PM

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Agreed

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(b)(6)

(b)(6)

This section is being referred to FSIS.

(b)(6)

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**From:** [Jere.L.Dick@aphis.usda.gov](mailto:Jere.L.Dick@aphis.usda.gov) [mailto:[Jere.L.Dick@aphis.usda.gov](mailto:Jere.L.Dick@aphis.usda.gov)]  
**Sent:** Friday, March 20, 2009 3:31 PM  
**To:** Blake, Carol  
**Cc:** Jones, Ronald; [Clay.Hamilton@fas.usda.gov](mailto:Clay.Hamilton@fas.usda.gov)  
**Subject:** Fw: ACTION: update on import permit briefing

Carol,

Here is confirmation of the number of countries. I've asked them to try to divide out the number of total permits if possible. As you can see, there are quite a few that are still being studied by the FSIS staff at this time.

---

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----- Forwarded by Jere L Dick/MD/APHIS/USDA on 03/20/2009 03:26 PM -----

**Michael J David/MD/APHIS/USDA**

03/20/2009 03:18 PM

To Jere L Dick/MD/APHIS/USDA@USDA

cc Catherine S Fulton/MD/APHIS/USDA@USDA, Larry M  
Granger/CO/APHIS/USDA@USDA, Michael R Doerrer/  
MD/APHIS/USDA@USDA, Thomas J Myers/MD/APHIS/  
USDA@USDA, Karen A James-Preston/MD/APHIS/USDA

Subject Re: ACTION: update on import permit briefing [Link](#)

Jere,

The number 27 is based on the spreadsheet of permits we've been working on from day 1 ... and these were sorted by country based on the FSIS regulated product ...

That spreadsheet had been color coded by agency regulating the commodity of interest (There are 296 blue= FSIS knows they regulate; 422 white = we have not received a decision from FSIS regarding these commodities; 70 yellow = FSIS said they don't regulate these commodities and 94 green = APHIS regulates).

One question I have ... the number 14,000 + refers to the estimated number of total permits issued by all of NCIE, correct?

Michael

27 Countries with permits in blue :

Argentina  
Brazil  
China  
Costa Rica  
Croatia  
Dominican Republic  
Ecuador  
Egypt  
El Salvador  
Germany  
Guatemala  
Hong Kong  
India  
Jamaica  
Japan  
Mexico  
Peru  
Philippines  
Poland  
Saudi Arabia  
Singapore  
South Korea  
Switzerland  
Taiwan  
Thailand  
United Kingdom  
Venezuela

45 Countries in total:

Argentina  
Australia  
Austria  
Azerbaijan  
Belgium  
Bosnia and Herzegovina  
Brazil  
Canada  
Chile  
China  
Colombia  
Costa Rica  
Croatia

Brazil  
Canada  
Chile  
China  
Colombia  
Costa Rica  
Croatia  
Denmark  
Dominican Republic  
Ecuador  
Egypt  
El Salvador  
France  
Germany  
Guatemala  
Hong Kong  
India  
Indonesia  
Israel  
Jamaica  
Japan  
Jordan  
Malaysia  
Mexico  
Netherlands  
New Zealand  
Peru  
Philippines  
Poland  
Saudi Arabia  
Singapore  
South Korea  
Switzerland  
Taiwan  
Thailand  
United Kingdom  
Uruguay  
Venezuela  
Vietnam

---

Michael David, MS, VMD, MPH  
Director  
National Center for Import and Export  
International Animal Health Standards Team

Veterinary Services  
4700 River Rd Unit 33  
Riverdale, MD 20737

301-734-5324 (tel)  
301-734-6402 (fax)  
michael.j.david@aphis.usda.gov  
usa.oie@aphis.usda.gov

**Jere L Dick/MD/APHIS/USDA**

03/20/2009 12:49 PM

To Larry M Granger/CO/APHIS/USDA@USDA

cc Thomas J Myers/MD/APHIS/USDA@USDA, Michael R  
Doerrer/MD/APHIS/USDA@USDA, Michael J David/MD/  
APHIS/USDA@USDA, Catherine S Fulton/MD/APHIS/  
USDA@USDA

Subject ACTION: update on import permit briefing

Larry,

I just returned from the hill briefing. First of all, thanks to all who had a hand in putting together my talking points on short notice.

Early on in the "china permit" issue, I believe we did some sorting of permits and identification of countries. Please have staff confirm that it is 27 countries that we are sending permits to for trace amounts of meat, poultry, and egg products. Also, if we could get a rough breakdown of the number of permits that are issued for these types of products out of 14,000+ it would be helpful. I tried to explain that the entire 14,000 were for a variety of items in addition to meat, poultry, and egg products (such as pet food, nutriceuticals, etc.) but was not sure of the percentage.

If I could get that information by noon on Monday, it would be nice.

Thanks

---

Jere L. Dick, DVM  
Associate Deputy Administrator  
Chief of Field Operations  
USDA-APHIS-Veterinary Services  
Washington DC, 20250  
Telephone: 202-720-5193  
Facsimile: 202-690-4171

----- Forwarded by Jere L Dick/MD/APHIS/USDA on 03/20/2009 12:39 PM -----

This section is being referred to FSIS.

This section is being referred to FSIS.

(b)(6)

**From:** [Jere L Dick](#)  
**To:** [Clay.Hamilton@fas.usda.gov](mailto:Clay.Hamilton@fas.usda.gov); [Catherine S Fulton](#); [Ronald.Jones@fsis.usda.gov](mailto:Ronald.Jones@fsis.usda.gov); [Philip.Derfler@fsis.usda.gov](mailto:Philip.Derfler@fsis.usda.gov)  
**cc:** [John Clifford](#); [Bill Clay](#)  
**Subject:** Re: Are poultry shipments still being held up?  
**Date:** 03/16/2009 04:47 PM

---

Clay, we have not yet received the go ahead to process permits to my knowledge. Therefore, all the previously cancelled permits and those that are expiring daily are likely the problem. We are getting pressed very hard by CBP to let them know of a decision also.

We are awaiting a "go" at this time.

---

This section is being referred to FAS.

This section is being referred to FAS.

This section is being referred to FAS.

**From:** [Jere L Dick](#)  
**To:** [Hamilton, Clay](#)  
**cc:** [Blake, Carol](#); [Ed.C.Curlett@aphis.usda.gov](mailto:Ed.C.Curlett@aphis.usda.gov); [Klusaritz, Sally](#); [Thomas J Myers](#); [Michael R Doerrer](#); [Gary S Colgrove](#)  
**Subject:** RE: Calls re import permits  
**Date:** 03/27/2009 05:17 PM

---

Thanks for letting me know. I have copied our policy group and will likely have one of them participate when you get it set up.

---

Jere L. Dick, DVM  
Associate Deputy Administrator  
Chief of Field Operations  
USDA-APHIS-Veterinary Services  
Washington DC, 20250  
Telephone: 202-720-5193  
Facsimile: 202-690-4171

This section is being referred to FAS.

---

This section is being referred to FSIS.

This section is being referred to FSIS.

(b)(6)

**From:** [Jere L Dick](#)  
**To:** [Clay.Hamilton@fas.usda.gov](#); [William.Smith@fsis.usda.gov](#); [Howard.Wetzel@fas.usda.gov](#); [Ronald.Jones@fsis.usda.gov](#); [Bryce.Quick@fsis.usda.gov](#); [Daniel.Engeljohn@fsis.usda.gov](#); [Al.Almanza@fsis.usda.gov](#); [Philip.Derfler@fsis.usda.gov](#); [Carol.Blake@fsis.usda.gov](#); [Terri.Nintemann@fsis.usda.gov](#); [Robert.Tynan@fsis.usda.gov](#); [Ron Hicks](#); [John Clifford](#); [Thomas J Myers](#); [Bill Clay](#); [Kevin A Shea](#)  
**Subject:** Re: Comments on paper  
**Date:** 03/08/2009 02:34 PM

---

Thanks Clay, I believe they capture the nuances of our discussions.

We'll try to touch bases with OGC first thing on Monday morning to set up some time to discuss the extension issue. I believe, since they are attorneys for both FSIS and APHIS, that it will be important for both groups to be present.

---

This section is being referred to FAS.

This section is being referred to FAS.

**From:** [Jere L Dick](#)  
**To:** [Barbara.Wolff@fas.usda.gov](mailto:Barbara.Wolff@fas.usda.gov)  
**cc:** [Clay.Hamilton@fas.usda.gov](mailto:Clay.Hamilton@fas.usda.gov); [Howard.Wetzel@fas.usda.gov](mailto:Howard.Wetzel@fas.usda.gov); [Jose R Diez](#);  
[Catherine S Fulton](#); [Thomas J Myers](#)  
**Subject:** Re: copy of trace amounts paper for OSEC  
**Date:** 03/12/2009 12:07 PM

---

Thanks Barbara,

I am out this week and have copied folks who are covering in the VS Deputies Office.

---

This section is being referred to FAS.

**From:** [Jere L Dick](mailto:Jere.L.Dick)  
**To:** [Sandie.Stasiak@osec.usda.gov](mailto:Sandie.Stasiak@osec.usda.gov); [Cindy J Smith](mailto:Cindy.J.Smith); [Philip.Derfler@fsis.usda.gov](mailto:Philip.Derfler@fsis.usda.gov); [Daniel.Engeljohn@fsis.usda.gov](mailto:Daniel.Engeljohn@fsis.usda.gov); [Clay.Hamilton@fas.usda.gov](mailto:Clay.Hamilton@fas.usda.gov); [Howard.Wetzel@fas.usda.gov](mailto:Howard.Wetzel@fas.usda.gov); [Kevin A Shea](mailto:Kevin.A.Shea); [Bill Clay](mailto:Bill.Clay); [William.Smith@fsis.usda.gov](mailto:William.Smith@fsis.usda.gov); [Ronald.Jones@fsis.usda.gov](mailto:Ronald.Jones@fsis.usda.gov); [Carol.Blake@fsis.usda.gov](mailto:Carol.Blake@fsis.usda.gov); [Pat.Sheikh@fas.usda.gov](mailto:Pat.Sheikh@fas.usda.gov); [Al.Almanza@fsis.usda.gov](mailto:Al.Almanza@fsis.usda.gov); [Bryce.Quick@fsis.usda.gov](mailto:Bryce.Quick@fsis.usda.gov)  
**cc:** [Inga.McNeil@osec.usda.gov](mailto:Inga.McNeil@osec.usda.gov); [Faye.Smith@fsis.usda.gov](mailto:Faye.Smith@fsis.usda.gov); [Catherine S Fulton](mailto:Catherine.S.Fulton)  
**Subject:** Re: Decision Memo -- Import Exemptions  
**Date:** 03/10/2009 05:11 PM

---

APHIS VS will be there.

---

**From:** "Sandie.Stasiak@osec.usda.gov" [Sandie.Stasiak@osec.usda.gov]  
**Sent:** 03/10/2009 04:22 PM AST  
**To:** "Cindy.Smith@osec.usda.gov" <Cindy.Smith@osec.usda.gov>; "Philip.Derfler@fsis.usda.gov" <Philip.Derfler@fsis.usda.gov>; "Daniel.Engeljohn@fsis.usda.gov" <Daniel.Engeljohn@fsis.usda.gov>; "Clay.Hamilton@fas.usda.gov" <Clay.Hamilton@fas.usda.gov>; "Howard.Wetzel@fas.usda.gov" <Howard.Wetzel@fas.usda.gov>; Jere Dick; Kevin Shea; Bill Clay; "William.Smith@fsis.usda.gov" <William.Smith@fsis.usda.gov>; "Ronald.Jones@fsis.usda.gov" <Ronald.Jones@fsis.usda.gov>; "Carol.Blake@fsis.usda.gov" <Carol.Blake@fsis.usda.gov>; "Pat.Sheikh@fas.usda.gov" <Pat.Sheikh@fas.usda.gov>; "Al.Almanza@fsis.usda.gov" <Al.Almanza@fsis.usda.gov>; "Bryce.Quick@fsis.usda.gov" <Bryce.Quick@fsis.usda.gov>  
**Cc:** "Inga.McNeil@osec.usda.gov" <Inga.McNeil@osec.usda.gov>; "Faye.Smith@fsis.usda.gov" <Faye.Smith@fsis.usda.gov>  
**Subject:** Decision Memo -- Import Exemptions

Acting Deputy Under Secretary Ron Hicks would like to have a meeting with all of you tomorrow (Wednesday) at 3:30pm to 4:15pm in Rm. 231-E.

I hope this time is good for you. Please advise if you are not able to attend. Sorry for the short notice.

Thank you.

Sandra J. Stasiak "Sandie"

Office of the Under Secretary

for Food Safety

U.S. Department of Agriculture

1400 Independence Avenue, S.W., Rm. 227-E

Washington, D.C. 20250-0121

(202) 720-0351 -- ofc

(202) 690-0820 -- fax

**From:** [Jere L Dick](#)  
**To:** [Smith, Faye](#)  
**cc:** [Andrea C McNally](#); [Bill Clay](#); [Cindy.Smith@osec.usda.gov](mailto:Cindy.Smith@osec.usda.gov); [Jane E Levy](#); [Kevin A Shea](#); [Sharon M Coursey](#)  
**Subject:** Re: FW: Permit Documents - meeting tonight?  
**Date:** 03/03/2009 05:38 PM

---

Thanks, Faye.

---

Jere L. Dick, DVM  
Associate Deputy Administrator  
Chief of Field Operations  
USDA-APHIS-Veterinary Services  
Washington DC, 20250  
Telephone: 202-720-5193  
Facsimile: 202-690-4171

This section is being referred to FSIS.

This section is being referred to FSIS.

(b)(6)

This section is being referred to FAS.

(b)(6)

This section is being referred to FAS.

(b)(6)

This section is being referred to FSIS.

(b)(6)

This section is being referred to FSIS.

**From:** [Jere L Dick](#)  
**To:** [Smith, Cindy](#)  
**Subject:** RE: FW: Trace Amounts  
**Date:** 03/05/2009 03:31 PM

---

Kevin, Had to run to your meeting so we can visit with you later.

Also, just ran into Ron Hicks in the hallway and he said that David L would like for us to slow down more and possibly move on this next week.

Will try to visit with you at 4:15.

---

Jere L. Dick, DVM  
Associate Deputy Administrator  
Chief of Field Operations  
USDA-APHIS-Veterinary Services  
Washington DC, 20250  
Telephone: 202-720-5193  
Facsimile: 202-690-4171

**From:** [Jere L Dick](#)  
**To:** [Smith, Cindy](#)  
**cc:** [McNally, Andrea C](#); [Gaston, Beth](#); [Clay, Bill](#); [Smith, Cindy J](#); [Levy, Jane E](#); [Shea, Kevin A](#); [Coursey, Sharon M](#)  
**Subject:** RE: FW: Trace Amounts  
**Date:** 03/05/2009 03:26 PM

---

Will visit with Kevin. Thanks

---

Jere L. Dick, DVM  
Associate Deputy Administrator  
Chief of Field Operations  
USDA-APHIS-Veterinary Services  
Washington DC, 20250  
Telephone: 202-720-5193  
Facsimile: 202-690-4171

▼ ["Smith, Cindy" <Cindy.Smith@osec.usda.gov>](mailto:Cindy.Smith@osec.usda.gov)

**"Smith, Cindy" <Cindy.Smith@osec.usda.gov>**

03/05/2009 03:23 PM

To Jere.L.Dick@aphis.usda.gov, "Clay, Bill" <Bill.Clay@usda.gov>, "Coursey, Sharon M" <Sharon.M.Coursey@usda.gov>, "Gaston, Beth" <Beth.Gaston@osec.usda.gov>, "Levy, Jane E" <Jane.E.Levy@usda.gov>, "McNally, Andrea C" <Andrea.C.McNally@usda.gov>, "Shea, Kevin A" <Kevin.A.Shea@usda.gov>, "Smith, Cindy J" <Cindy.J.Smith@usda.gov>

cc

Subject RE: FW: Trace Amounts

I have the Administrator's meeting in 7 minutes. If you can raise the issue to Kevin he can raise it to me. Otherwise, you could stop by about 4:15, assuming that meeting is finished in 45 minutes. I have another meeting in Osec at 4:30.

---

**From:** Jere.L.Dick@aphis.usda.gov [mailto:Jere.L.Dick@aphis.usda.gov]  
**Sent:** Thursday, March 05, 2009 3:21 PM  
**To:** Smith, Cindy  
**Cc:** Andrea.C.McNally@aphis.usda.gov; Gaston, Beth; Bill.Clay@aphis.usda.gov; Cindy.J.Smith@aphis.usda.gov; Jane.E.Levy@aphis.usda.gov; John.Clifford@aphis.usda.gov; Kevin.A.Shea@aphis.usda.gov; Sharon.M.Coursey@aphis.usda.gov  
**Subject:** Re: FW: Trace Amounts

I do have a concern. Would it be possible to find a few minutes for Bill and I to visit with you rather than using email? Just want to make sure I am clear on direction.

---

Jere L. Dick, DVM  
Associate Deputy Administrator  
Chief of Field Operations  
USDA-APHIS-Veterinary Services  
Washington DC, 20250  
Telephone: 202-720-5193  
Facsimile: 202-690-4171

**"Cindy.Smith@osec.usda.gov"**  
**<Cindy.Smith@osec.usda.gov>**

03/05/2009 02:58 PM

To "Beth.Gaston@osec.usda.gov" <Beth.Gaston@osec.usda.gov>, "John.Clifford@aphis.usda.gov" <John.Clifford@aphis.usda.gov>, "Jere.L.Dick@aphis.usda.gov" <Jere.L.Dick@aphis.usda.gov>, "Bill.Clay@aphis.usda.gov" <Bill.Clay@aphis.usda.gov>, "Sharon.M.Coursey@aphis.usda.gov" <Sharon.M.Coursey@aphis.usda.gov>, "Jane.E.Levy@aphis.usda.gov" <Jane.E.Levy@aphis.usda.gov>, "Andrea.C.McNally@aphis.usda.gov" <Andrea.C.McNally@aphis.usda.gov>, "Kevin.A.Shea@aphis.usda.gov" <Kevin.A.Shea@aphis.usda.gov>, "Cindy.J.Smith@aphis.usda.gov" <Cindy.J.Smith@aphis.usda.gov>

cc

Subject FW: Trace Amounts

See Dave's message immediately below. Any concerns about communicating to Chinese that we will be reissuing permits?

Regarding Dave's message at bottom – any additions?

---

**From:** Lazarus, David  
**Sent:** Thursday, March 05, 2009 2:53 PM  
**To:** Michener, Michael; Hicks, Ron; Smith, Cindy; 'Sheikh, Pat'; 'Robert. Riemenschneider@fas.usda.gov'  
**Cc:** Holtzman, Max  
**Subject:** RE: Trace Amounts

I don't see why not....check with APHIS and FSIS to see if we should hold off.

---

**From:** Michener, Michael  
**Sent:** Thursday, March 05, 2009 2:50 PM  
**To:** Lazarus, David; Hicks, Ron; Smith, Cindy; 'Sheikh, Pat'; 'Robert. Riemenschneider@fas.usda.gov'  
**Cc:** Holtzman, Max  
**Subject:** RE: Trace Amounts

Looks good to me. Pat and I will be meeting with the Chinese DCM (acting Ambo) at 3:30 today – can we draw on point #1 in our response to his demarche?

---

**From:** Lazarus, David

**Sent:** Thursday, March 05, 2009 2:46 PM

**To:** Hicks, Ron; Smith, Cindy; 'Sheikh, Pat'; [Robert.Riemenschneider@fas.usda.gov](mailto:Robert.Riemenschneider@fas.usda.gov)

**Cc:** Holtzman, Max; Michener, Michael

**Subject:** Trace Amounts

Thanks for everyone's time on this issue. Here's where I think we are, given the conversation at TPSC today.

- 1) Reissue the permits for the Chinese firms under our legal definition of poultry products
- 2) Make sure Korean product is able to enter commerce, as it should be allowed under our regulations
- 3) Adhere to current regulations and enforcement practices
- 4) Work with CBP to get improved statistics on effects on trade
- 5) Draft proposed time line and white paper for consideration of TPSC and TPRG
- 6) Meet with the TPRG in the near future to discuss our proposal

Does this make sense to everyone? Any additions or modifications to this path forward?

**From:** [Jere L Dick](#)  
**To:** [Derfler, Philip](#)  
**cc:** [Hamilton, Clay](#)  
**Subject:** Re: FW: Update on 2% issue  
**Date:** 03/23/2009 03:02 PM  
**Attachments:** [90 day TPS 03 12 09.doc](#)

---

Yes, the last sentence of that bullet says we will be adding the new language.....

---

Jere L. Dick, DVM  
Associate Deputy Administrator  
Chief of Field Operations  
USDA-APHIS-Veterinary Services  
Washington DC, 20250  
Telephone: 202-720-5193  
Facsimile: 202-690-4171

This section is being referred to FSIS.

This section is being referred to FAS.

**From:** [Jere L Dick](#)  
**To:** [Thomas J Myers](#); [Paula J Lee](#)  
**cc:** [Catherine S Fulton](#); [John Clifford](#); [Jose R Diez](#); [Larry M Granger](#); [Michael J David](#); [Michael R Doerr](#); [Karen A James-Preston](#)  
**Subject:** Re: FYI: Decision Memo-Import Exemptions  
**Date:** 03/10/2009 04:54 PM

---

Might not be a bad idea for you to plan on attending anyway if you can TJ since it is toward the end of the day.

▼ [Thomas J Myers](#)

----- Original Message -----

**From:** Thomas J Myers

**Sent:** 03/10/2009 04:08 PM EDT

**To:** Jere Dick; Paula Lee

**Cc:** Catherine Fulton; John Clifford; Jose Diez; Larry Granger; Michael David; Michael Doerr; Karen James-Preston

**Subject:** Re: FYI: Decision Memo-Import Exemptions

Hi Jere - I just called your office and Paula said that you went home sick. I hope you are feeling better soon.

Let us know if you are not feeling well in the morning, and one of us will take your place at this meeting.

TJ

\*\*\*\*\*

Dr. T.J. Myers, Deputy Director for Science and Technology

National Animal Health Policy and Programs  
USDA, APHIS, Veterinary Services  
4700 River Road; Unit 33  
Riverdale, MD 20737

Desk: 301-734-7677

Cell: (b)(6)

▼ [Jere L Dick/MD/APHIS/USDA](#)

**Jere L Dick/MD/APHIS/  
USDA**

03/10/2009 02:55 PM

To Thomas J Myers/MD/APHIS/USDA@USDA, Larry M  
Granger/CO/APHIS/USDA@USDA, Michael J David/  
MD/APHIS/USDA@USDA

cc Catherine S Fulton/MD/APHIS/USDA@USDA,  
Michael R Doerrer/MD/APHIS/USDA@USDA, John  
Clifford/MD/APHIS/USDA@USDA, Jose R Diez/MD/  
APHIS/USDA@USDA

Subject: FYI: Decision Memo-Import Exemptions

A decision has been made!

We will be meeting tomorrow as indicated below, so I will give you a call after that in order that you can proceed with permitting activities. Hold tight until tomorrow.

---

Jere L. Dick, DVM  
Associate Deputy Administrator  
Chief of Field Operations  
USDA-APHIS-Veterinary Services  
Washington DC, 20250  
Telephone: 202-720-5193  
Facsimile: 202-690-4171

----- Forwarded by Jere L Dick/MD/APHIS/USDA on 03/10/2009 02:49 PM -----

This section is being referred to FSIS.

This section is being referred to FSIS.

**From:** Lazarus, David [mailto:David.Lazarus@osec.usda.gov]  
**Sent:** Tuesday, March 10, 2009 2:26 PM  
**To:** Sheikh, Pat; Hicks, Ron  
**Cc:** Almanza, Al; Quick, Bryce; Smith, Cindy; Michener, Michael; Holtzman, Max  
**Subject:** RE: Decision Memo-Import Exemptions

The Secretary gave a green light today on Option 2.

---

This section is being referred to FAS.

This section is being referred to FAS.

---

This section is being referred to FSIS.

---

This section is being referred to FAS.

---

This section is being referred to FSIS.

**From:** Lazarus, David [mailto:David.Lazarus@osec.usda.gov]  
**Sent:** Monday, March 09, 2009 6:06 PM  
**To:** Hicks, Ron  
**Cc:** Almanza, Al; Quick, Bryce; Smith, Cindy; Sheikh, Pat; Michener, Michael; Holtzman, Max  
**Subject:** RE: Decision Memo-Import Exemptions

Thanks Ron and everyone for your hard work on this. I think we have a path forward here.

If the Secretary moves ahead with option 2, what are our next steps with regard to the inter-agency process?

Best,  
Dave

This section is being referred to FSIS.

**From:** [Jere L Dick](#)  
**To:** [Blake, Carol](#); [Smith, William C.](#); [Derfler, Philip](#); [McDermott, Steve](#)  
**cc:** [Clay Hamilton](#); [DiNapoli, Greg](#)  
**Subject:** Re: Issue permit calls  
**Date:** 03/30/2009 08:26 PM

---

Hi Carol,

Both TJ and John are out of town this week and I have meetings scheduled all morning as acting CVO.

I could get one of our technical folks to call in if necessary?.

---

This section is being referred to FSIS.

(b)(6)

**From:** [Jere L Dick](mailto:Jere.L.Dick@fas.usda.gov)  
**To:** [Clay.Hamilton@fas.usda.gov](mailto:Clay.Hamilton@fas.usda.gov)  
**cc:** [Carol.Blake@fsis.usda.gov](mailto:Carol.Blake@fsis.usda.gov); [Chris.Church@fas.usda.gov](mailto:Chris.Church@fas.usda.gov); [Philip.Derfler@fsis.usda.gov](mailto:Philip.Derfler@fsis.usda.gov); [Tim.Rocke@fas.usda.gov](mailto:Tim.Rocke@fas.usda.gov); [William.Smith@fsis.usda.gov](mailto:William.Smith@fsis.usda.gov); John Clifford  
**Subject:** Re: Response to Foley trade question  
**Date:** 03/24/2009 10:54 AM

---

Looks good to me, Clay.

---

Jere L. Dick, DVM  
Associate Deputy Administrator  
Chief of Field Operations  
USDA-APHIS-Veterinary Services  
Washington DC, 20250  
Telephone: 202-720-5193  
Facsimile: 202-690-4171

This section is being referred to FAS.

This section is being referred to FAS.

**From:** [Jere L Dick](#)  
**To:** [Hamilton, Clay](#)  
**cc:** [Catherine.S.Fulton@aphis.usda.gov](mailto:Catherine.S.Fulton@aphis.usda.gov); [Larry.M.Granger@aphis.usda.gov](mailto:Larry.M.Granger@aphis.usda.gov); [Michael.R.Doerrer@aphis.usda.gov](mailto:Michael.R.Doerrer@aphis.usda.gov); [Derfler, Philip](mailto:Derfler, Philip); [Thomas.J.Myers@aphis.usda.gov](mailto:Thomas.J.Myers@aphis.usda.gov)  
**Subject:** RE: RUSH: 2% TPs  
**Date:** 03/19/2009 10:34 AM

---

I gave instructions to start issuing them first thing this morning.....so we have started.

---

Jere L. Dick, DVM  
Associate Deputy Administrator  
Chief of Field Operations  
USDA-APHIS-Veterinary Services  
Washington DC, 20250  
Telephone: 202-720-5193  
Facsimile: 202-690-4171

This section is being referred to FAS.

---

**From:** [Jere.L.Dick@aphis.usda.gov](mailto:Jere.L.Dick@aphis.usda.gov) [mailto:[Jere.L.Dick@aphis.usda.gov](mailto:Jere.L.Dick@aphis.usda.gov)]

**Sent:** Thursday, March 19, 2009 10:30 AM

**To:** Hamilton, Clay

**Cc:** Derfler, Philip; Thomas.J.Myers@aphis.usda.gov; Michael.R.Doerr@aphis.usda.gov; Larry.M.Granger@aphis.usda.gov; Catherine.S.Fulton@aphis.usda.gov

**Subject:** RUSH: 2% TPs

Clay, since it has been a few weeks I think it best to ask staff to recheck the list and send directly to you again. I have no problem with you sending out the final.

TJ, could you please assist asap. Thanks!

---

Jere L. Dick, DVM  
Associate Deputy Administrator  
Chief of Field Operations  
USDA-APHIS-Veterinary Services  
Washington DC, 20250  
Telephone: 202-720-5193  
Facsimile: 202-690-4171

This section is being referred to FAS.

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---

**From:** Jere.L.Dick@aphis.usda.gov [mailto:Jere.L.Dick@aphis.usda.gov]  
**Sent:** Thursday, March 19, 2009 10:16 AM  
**To:** Derfler, Philip  
**Cc:** Hamilton, Clay  
**Subject:** RE: 2% TPs

Agreed.

---

Jere L. Dick, DVM  
Associate Deputy Administrator  
Chief of Field Operations  
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This section is being referred to FSIS.

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This section is being referred to FAS.

This section is being referred to USTR.

**From:** [Jere L Dick](#)  
**To:** [Clay.Hamilton@fas.usda.gov](mailto:Clay.Hamilton@fas.usda.gov)  
**cc:** [Maria.Pool@fas.usda.gov](mailto:Maria.Pool@fas.usda.gov); [Philip.Derfler@fsis.usda.gov](mailto:Philip.Derfler@fsis.usda.gov); [Ronald.Jones@fsis.usda.gov](mailto:Ronald.Jones@fsis.usda.gov)  
**Subject:** Re: Update on 2% issue  
**Date:** 03/19/2009 04:44 PM

---

Yes

---

Jere L. Dick, DVM  
Associate Deputy Administrator  
Chief of Field Operations  
USDA-APHIS-Veterinary Services  
Washington DC, 20250  
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**From:** Jere.L.Dick@aphis.usda.gov [mailto:Jere.L.Dick@aphis.usda.gov]  
**Sent:** Thursday, March 19, 2009 9:34 AM  
**To:** Hamilton, Clay; Derfler, Philip; Thomas.J.Myers@aphis.usda.gov  
**Cc:** John.Clifford@aphis.usda.gov; Catherine.S.Fulton@aphis.usda.gov;  
Michael.J.David@aphis.usda.gov; Michael.R.Doerrerr@aphis.usda.gov;  
Larry.M.Granger@aphis.usda.gov; Bethany.X.Jones@aphis.usda.gov;  
Jones, Ronald; Quick, Bryce; Bill.Clay@aphis.usda.gov; Kevin.A.  
Shea@aphis.usda.gov  
**Subject:** Re: Update on 2% issue

I'll make sure we have someone available. Of course, I am on the hill tomorrow 10-12.

---

This section is being referred to FAS.

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---

**From:** Jere.L.Dick@aphis.usda.gov  
**To:** Hamilton, Clay; Philip.Derfler@fsis.usda.gov ; Thomas.J.Myers@aphis.usda.gov  
**Cc:** John.Clifford@aphis.usda.gov ; Catherine.S.Fulton@aphis.usda.gov ; Michael.J.David@aphis.usda.gov ; Michael.R.Doerrler@aphis.usda.gov ; Larry.M.Granger@aphis.usda.gov ; Bethany.X.Jones@aphis.usda.gov ; Ronald.Jones@fsis.usda.gov; bryce.Quick@fsis.usda.gov ; Bill.Clay@aphis.usda.gov ; Kevin.A.Shea@aphis.usda.gov  
**Sent:** Thu Mar 19 09:22:01 2009  
**Subject:** Re: Update on 2% issue

We are ready and starting the permitting process this morning.

Dr TJ Myers is meeting with staff now and he should be your contact for standardizing the dates in our letters. I have copied him.

Do you need someone from APHIS for any calls today?

---

This section is being referred to FAS.

This section is being referred to FAS.

**From:** Lazarus, David

**To:** Hamilton, Clay; Doherty, Jane

**Cc:** Jere.L.Dick@aphis.usda.gov ; Sheikh, Pat; Wetzel, Howard; Catherine.S.Fulton@aphis.usda.gov ; Philip.Derfler@fsis.usda.gov ; Holtzman, Max ; Michener, Michael ; Smith, Cindy

**Sent:** Wed Mar 18 19:31:49 2009

**Subject:** RE: Update on 2% issue  
Yes, please go ahead. Thank you.

This section is being referred to FAS.

**From:** [Jere L Dick](#)  
**To:** [Hamilton, Clay](#)  
**cc:** [Bethany.X.Jones@aphis.usda.gov](mailto:Bethany.X.Jones@aphis.usda.gov); [Bill.Clay@aphis.usda.gov](mailto:Bill.Clay@aphis.usda.gov); [Bryce.Quick@fsis.usda.gov](mailto:Bryce.Quick@fsis.usda.gov); [Catherine.S.Fulton@aphis.usda.gov](mailto:Catherine.S.Fulton@aphis.usda.gov); [John.Clifford@aphis.usda.gov](mailto:John.Clifford@aphis.usda.gov); [Kevin.A.Shea@aphis.usda.gov](mailto:Kevin.A.Shea@aphis.usda.gov); [Larry.M.Granger@aphis.usda.gov](mailto:Larry.M.Granger@aphis.usda.gov); [Pool, Maria; Michael.J.David@aphis.usda.gov](mailto:Pool, Maria; Michael.J.David@aphis.usda.gov); [Michael.R.Doerrer@aphis.usda.gov](mailto:Michael.R.Doerrer@aphis.usda.gov); [Philip.Derfler@fsis.usda.gov](mailto:Philip.Derfler@fsis.usda.gov); [Ronald.Jones@fsis.usda.gov](mailto:Ronald.Jones@fsis.usda.gov); [Thomas.J.Myers@aphis.usda.gov](mailto:Thomas.J.Myers@aphis.usda.gov)  
**Subject:** Re: Update on 2% issue  
**Date:** 03/19/2009 03:57 PM

---

I can make myself available, if necessary Clay. Just let me know how it works out for others. Right now I have a conference call scheduled for that time.

---

Jere L. Dick, DVM  
Associate Deputy Administrator  
Chief of Field Operations  
USDA-APHIS-Veterinary Services  
Washington DC, 20250  
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Facsimile: 202-690-4171

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This section is being referred to FSIS.

**From:** Jere.L.Dick@aphis.usda.gov [mailto:Jere.L.Dick@aphis.usda.gov]

**Sent:** Thursday, March 19, 2009 9:34 AM

**To:** Hamilton, Clay; Derfler, Philip; Thomas.J.Myers@aphis.usda.gov

**Cc:** John.Clifford@aphis.usda.gov; Catherine.S.Fulton@aphis.usda.gov;  
Michael.J.David@aphis.usda.gov; Michael.R.Doerrler@aphis.usda.gov;  
Larry.M.Granger@aphis.usda.gov; Bethany.X.Jones@aphis.usda.gov;  
Jones, Ronald; Quick, Bryce; Bill.Clay@aphis.usda.gov; Kevin.A.  
Shea@aphis.usda.gov

**Subject:** Re: Update on 2% issue

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This section is being referred to FAS.

**From:** Jere.L.Dick@aphis.usda.gov

**To:** Hamilton, Clay; Philip.Derfler@fsis.usda.gov ; Thomas.J.Myers@aphis.usda.gov

**Cc:** John.Clifford@aphis.usda.gov ; Catherine.S.Fulton@aphis.usda.gov ; Michael.J.David@aphis.usda.gov ; Michael.R.Doerrer@aphis.usda.gov ; Larry.M.Granger@aphis.usda.gov ; Bethany.X.Jones@aphis.usda.gov ; Ronald.Jones@fsis.usda.gov; bryce.Quick@fsis.usda.gov ; Bill.Clay@aphis.usda.gov ; Kevin.A.Shea@aphis.usda.gov

**Sent:** Thu Mar 19 09:22:01 2009

**Subject:** Re: Update on 2% issue

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Dr TJ Myers is meeting with staff now and he should be your contact for standardizing the dates in our letters. I have copied him.

Do you need someone from APHIS for any calls today?

---

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**From:** Lazarus, David

**To:** Hamilton, Clay; Doherty, Jane

**Cc:** Jere.L.Dick@aphis.usda.gov ; Sheikh, Pat; Wetzel, Howard; Catherine.S.Fulton@aphis.usda.gov ; Philip.Derfler@fsis.usda.gov ; Holtzman, Max ; Michener, Michael ; Smith, Cindy

**Sent:** Wed Mar 18 19:31:49 2009

**Subject:** RE: Update on 2% issue  
Yes, please go ahead. Thank you.

This section is being referred to FAS.

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- Any permits that expire during the 90 day extension will be extended for 90 days by APHIS. APHIS wants to avoid having an overwhelming number of permits to deal with on June 12.
- Two letters will be sent to Custom and Border Protection. One, prepared by FSIS, will tell CBP not to make any changes with respect to product containing meat, poultry, or egg products from how it is currently operating. The other, prepared by APHIS, will tell CBP about what to do with respect to Chinese product held at ports.
- APHIS will not make any changes in how it handles applications for new permits during the 90 extension period. Thus, applications for permits that are otherwise acceptable that are received by APHIS during the 90 days will be granted for one year. The only change is that the permit will contain the new language on attestations that FSIS and APHIS have developed.
- APHIS will issue new permits for the two Chinese products for which the permits were cancelled but have been found by FSIS to be made with US source chicken. These permits will be for a year and will contain the new language. For the products that were the subject of the other 28 cancelled permits, the responsible parties will be told to reapply. If the parties do, their applications will be treated like all other applications received at the time that the applications are received by APHIS.
- Mr. Lazarus will need to advise the TRPG of the various steps that are being taken by the agencies.
- FSIS and APHIS will begin their outreach efforts. The communications plan will be implemented during the 90 day period.
- At the end of the 90 days, that is, beginning on or about June 13, for products containing small amounts of meat or poultry, FSIS and

This section is being referred to FAS.

**From:** [Jere L Dick](#)  
**To:** [Clay.Hamilton@fas.usda.gov](mailto:Clay.Hamilton@fas.usda.gov)  
**Subject:** RE: Word is spreading  
**Date:** 03/10/2009 02:07 PM

---

I'm fine clay.

---

Jere L. Dick, DVM  
Associate Deputy Administrator  
Chief of Field Operations  
USDA-APHIS-Veterinary Services  
Washington DC, 20250  
Telephone: 202-720-5193  
Facsimile: 202-690-4171

**From:** [Jere L Dick](#)  
**To:** [Hamilton, Clay](#)  
**cc:** [Derfler, Philip](#); [Thomas J Myers](#); [Michael R Doerr](#); [Larry M Granger](#); [Catherine S Fulton](#)  
**Subject:** RUSH: 2% TPS  
**Date:** 03/19/2009 10:29 AM  
**Attachments:** [90 day TPS 03 19 09.doc](#)

---

Clay, since it has been a few weeks I think it best to ask staff to recheck the list and send directly to you again. I have no problem with you sending out the final.

TJ, could you please assist asap. Thanks!

---

Jere L. Dick, DVM  
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**From:** Jere.L.Dick@aphis.usda.gov [mailto:Jere.L.Dick@aphis.usda.gov]  
**Sent:** Thursday, March 19, 2009 10:16 AM  
**To:** Derfler, Philip  
**Cc:** Hamilton, Clay  
**Subject:** RE: 2% TPs

Agreed.

---

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Associate Deputy Administrator  
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This section is being referred to USTR.

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**From:** [Jere L Dick](#)  
**To:** [Thomas J Myers](#)  
**cc:** [Michael R Doerrer](#); [Catherine S Fulton](#); [Clay.Hamilton@fas.usda.gov](mailto:Clay.Hamilton@fas.usda.gov)  
**Subject:** RUSH: Meat and poultry import issue  
**Date:** 03/04/2009 02:33 PM

---

TJ,

Could you pull this together and get it to Clay asap. Appreciate it!

---

Jere L. Dick, DVM  
Associate Deputy Administrator  
Chief of Field Operations  
USDA-APHIS-Veterinary Services  
Washington DC, 20250  
Telephone: 202-720-5193  
Facsimile: 202-690-4171

----- Forwarded by Jere L Dick/MD/APHIS/USDA on 03/04/2009 02:30 PM -----

This section is being referred to FAS.

**From:** Jere.L.Dick@aphis.usda.gov [mailto:Jere.L.Dick@aphis.usda.gov]

**Sent:** Wednesday, March 04, 2009 12:26 PM

**To:** Hicks, Ron

**Cc:** Almanza, Al; Bill.Clay@aphis.usda.gov; Quick, Bryce; Blake, Carol; Cindy.Smith@osec.usda.gov; Hamilton, Clay; Engeljohn, Daniel; Smith, Faye; Wetzell, Howard; John.Clifford@aphis.usda.gov; Kevin.A.Shea@aphis.usda.gov; Sheikh, Pat; Ronald.Jones@fsis.usda.gov; Hicks, Ron; Smith, William C.

**Subject:** Re: FW: Meat and poultry import issue

I can be available.

---

Jere L. Dick, DVM  
Associate Deputy Administrator  
Chief of Field Operations  
USDA-APHIS-Veterinary Services  
Washington DC, 20250  
Telephone: 202-720-5193  
Facsimile: 202-690-4171

This section is being referred to FSIS.

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---

**From:** Karen.Stuck@osec.usda.gov [mailto:Karen.Stuck@osec.usda.gov]  
**Sent:** Wednesday, March 04, 2009 11:08 AM  
**To:** Ron.Hicks@osec.usda.gov; Cindy.Smith@osec.usda.gov; Pat.  
Sheikh@fas.usda.gov; Quick, Bryce  
**Cc:** David.Lazarus@osec.usda.gov  
**Subject:** Meat and poultry import issue

I talked with the Secretary this morning and he is comfortable moving forward as we discussed this morning. We will bring this to the TPSC this

afternoon as planned.

Karen Stuck

Office of the Secretary

202-720-6052

[karen.stuck@osec.usda.gov](mailto:karen.stuck@osec.usda.gov)

**From:** [Jere L Dick](#)  
**To:** [Bill Clay](#)  
**Subject:** Udate: Permits  
**Date:** 03/05/2009 01:16 PM

---

Good thing you went ahead with your other meeting. I got to the room and no one showed up. Apparently, they are having more internal caucuses before we all meet again.....

---

Jere L. Dick, DVM  
Associate Deputy Administrator  
Chief of Field Operations  
USDA-APHIS-Veterinary Services  
Washington DC, 20250  
Telephone: 202-720-5193  
Facsimile: 202-690-4171

**From:** [Jere L Dick](#)  
**To:** [Andrea C McNally](#); [Bill Clay](#); [Cindy.Smith@osec.usda.gov](mailto:Cindy.Smith@osec.usda.gov); [Jane E Levy](#); [Kevin A Shea](#); [Sharon M Coursey](#); [John Clifford](#)  
**cc:** [Catherine S Fulton](#); [Thomas J Myers](#); [Michael R Doerrer](#)  
**Subject:** UPDATE: Trace Amounts Permit Meetings 3-6-09  
**Date:** 03/06/2009 06:27 PM

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We just finished two consecutive meetings over the past 2 and a half hours on the Meat, Poultry, and Egg product permitting process. The first was a more technical level discussion with FSIS, APHIS, and FAS. The second included David Lazarus and representatives from the FSIS OA and USec (Ron Hicks) office. TJ and I attended both.

There was a lot of discussion around how to proceed, how to minimize impact on trade, messages for CBP, messages for importers/countries, current seizures at ports, simplification of documents that should be used, etc. as we "proceed".

The upshot is that FSIS will develop an options paper over the weekend at the request of the OSec (David L). Those at the meeting will edit/comment to insure discussion points are covered.

- It is proposed that APHIS will go back to issuing permits under the 'old system' very soon (yes the old system without FSIS involvement)
- It is proposed that APHIS will check with OGC to determine if old/expired permits can be extended for 30-60 days. We'll set up a meeting for Monday morning with OGC to determine the legality of extensions.
- It is proposed that 30-60 days will be used for 'outreach' to educate all importers/countries.
- It is proposed that the new 9 step process will be delayed until a certain date (30-60 days), then implemented so as to minimize the trade impact.
- All current rules and regulations will continue to be enforced; however, FSIS admitted that it would take all their enforcement personnel the next 30 days to investigate the 30 cancelled Chinese permits (so they will be effectively prevented from conducting 'enhanced' enforcement checks).

David L reiterated that it is important to slow down and insure that a "balanced approach is taken that garners acceptance from all government agencies". He is very sensitive to the fact that shipments continue to pile

up for cancelled permits and is looking for a way to resume trade immediately, with minimal disruption.

FSIS did accept that the 30 China permits that were cancelled Jan 30 were done at their request, and that they would begin official investigations immediately. Those permits would not immediately be renewed/extended until a full investigation was made. It is possible some could be reissued.

Obviously, there were many nuances during the 2 and a half hours, and I can fill you in on those verbally next week.

---

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Washington DC, 20250  
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**From:** [Jere L Dick](#)  
**To:** [clay.hamilton@fas.usda.gov](mailto:clay.hamilton@fas.usda.gov); [ron.hicks@fsis.usda.gov](mailto:ron.hicks@fsis.usda.gov); [bryce.quick@fsis.usda.gov](mailto:bryce.quick@fsis.usda.gov); [ronald.jones@fsis.usda.gov](mailto:ronald.jones@fsis.usda.gov)  
**cc:** [aphis oa](#); [Catherine S Fulton](#); [Jere L Dick](#); [John Clifford](#); [Jose R Diez](#); [Michael R Doerrer](#); [Sharon S Fisher](#); [Thomas J Myers](#)  
**Subject:** FYI: Status of FSIS (211) permit applications - April 10, 2009  
**Date:** 04/10/2009 02:21 PM

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All,

The backlog of all 211 APHIS Permit Applications have been processed and accounted for:

Permit Applications processed by APHIS (April 10, 2009):

1. Processed **211** permits
2. Of the 211 permits, 9 permits had to be subtracted from the 211 total count. These 9 permit applications were counted twice due to the fact that their application was counted both as an "On-Hold" shipment application and as a renewal or amended application. "On-Hold" process and "permit application" process are two separate processes within ePermits.
3. Of the **211** permits processed, after receiving further documentation from the importers, we determined that 8 of these were for products regulated by FDA (6 for quail eggs and 2 for pet food)
4. Of the **211** permits, **1 application was for products amenable to FSIS (containing more than 2% meat). This application was referred to FSIS.**
5. Included in these **211** permits, are the 2 permits from China that were reinstated
6. Of the 28 permits from China that were cancelled, APHIS has contacted all 28 of the permittee's by phone and sent an e-mail to confirm that contact
7. All expired permits that needed to be renewed during the time we suspended issuing permits have been completed with the 90-day extension letter. The permits currently being processed are for new and/or amendments received during the suspension period. We are also processing all additional permit requests we receive daily.
8. 2 permits were cancelled at the request of the applicant.
9. **5 permit applications were closed/cancelled due to lack of response by the applicant.** These permittee's may apply for a new permit at any time.

10. Countries/territories for which APHIS has issued/re-issued permits to date include Argentina, Canada, China, Denmark, France, Hong Kong, India, Indonesia, Israel, Italy, Jamaica, Japan, Jordan, Korea, Mexico, the Philippines, Singapore, Taiwan , Thailand, and Vietnam.

Other than the new/amended application requests we receive daily and which we are now processing, APHIS has now processed, handled and caught up with the backlog of permits created due to FSIS' increased enforcement policies. This is the last report on the status of permits that were held for processing.

APHIS technical staff met with FSIS technical staff this past week in Riverdale to work on issues related to permit issuance beginning June 22, 2009.

---

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Telephone: 202-720-5193  
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**From:** [Jere L Dick](#)  
**To:** [Jane E Levy](#)  
**cc:** [Christa S Anderson](#)  
**Subject:** Re: 2 percent import update  
**Date:** 04/10/2009 01:50 PM

---

Sure,

I also forward the APHIS OA the last and final update this morning, so you should have a copy.

---

Jere L. Dick, DVM  
Associate Deputy Administrator  
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Washington DC, 20250  
Telephone: 202-720-5193  
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▼ [Jane E Levy/MD/APHIS/USDA](#)

**Jane E Levy/MD/APHIS/USDA**

04/10/2009 01:10 PM

To Jere L Dick/MD/APHIS/USDA@USDA

cc Christa S Anderson/MD/APHIS/USDA@USDA

Subject 2 percent import update

Hi Jere:

FSIS would like to add one topic to our agenda for Monday--an update on the 2 percent import permits issue. Can you cover that?

Jane  
Jane Levy  
Chief of Staff  
Animal and Plant Health Inspection Service  
U.S. Department of Agriculture

**From:** [Jere L Dick](#)  
**To:** [Hamilton, Clay](#)  
**cc:** [Wolff, Barbara](#); [Egelhofer, David](#); [Derfler, Philip](#)  
**Subject:** Re: One more briefing paper to clear  
**Date:** 04/03/2009 10:04 AM  
**Attachments:** [BP Trace Amounts 4 2 09.doc](#)

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Looks good.

PS: June 22 is a Monday(not Friday, as stated)....the day new protocol takes effect.

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Jere L. Dick, DVM  
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