

*Ensuring the Safety and
Security of the Nation's Food
Supply - Bioterrorism Act*

Registration of Food Facilities



Registration of Food Facilities

✦ Background – The Law

- ✦ Section 305 of the Bioterrorism Act mandates that every foreign or domestic facility that manufactures, processes, packs, or holds food for human or animal consumption in the United States must register with the FDA by December 12, 2003. Further, each foreign facility must designate a U.S. Agent to facilitate communications.



Registration of Food Facilities

- ✦ Background – Need for an Agent
 - ✦ The proposed rule requires the U.S. agent to act as a “communications link” between the FDA and the foreign facility. The FDA will treat representations of the U.S. agent as those of the facility and communications to the U.S. agent as communications to the facility.



Registration of Food Facilities

✦ Background – Who Must Comply?

- ✦ In the case where a parent company has many facilities, each one must be listed separately. Farms, restaurants, retail food establishments, & non-profit establishments that prepare or serve food are exempt from this requirement. Also, exempt are foreign facilities if the food from that facility is to undergo further processing by another facility prior to exportation to the the U.S.



Registration of Food Facilities

✦ Background – Penalties for Non-Compliance

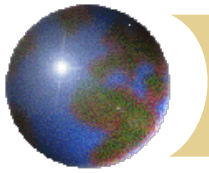
- The Bioterrorism Act requires that the food be held at the port of entry unless FDA directs its removal to a secure facility. The shipment will then be held at such location until the owner, operator, or agent in charge of the foreign facility has submitted its facility registration.



Tea Association of the USA as Agent

✚ Proposal

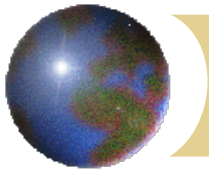
- ✚ The Tea Association of the USA will serve as agent for any of its foreign (processing, packing, or exporting) members, requesting it to do so, as an additional member service free of additional charge.
- ✚ The Tea Association of the USA will extend this service to other foreign companies at a nominal annual charge.



Tea Association of the USA as Agent

✿ Proposal – Stipulations

- ✿ For both member & non-member companies, the Tea Association will require the signing of an agreement that outlines the responsibilities of both the Association and the Foreign Facility.
- ✿ In the case of non-member facilities, there will be an additional requirement that includes sponsorship by a local Trade Association as well as by a U.S. company that the facility is currently doing business with.



Tea Association of the USA as Agent

- ✦ Proposal – Responsibilities of Association
 - ❑ Serve as communications link between FDA & foreign facility
 - ❑ Submit registration form to FDA & registration # to foreign facility
 - ❑ Update registration information as required
 - ❑ Cancel registrations when necessary



Tea Association of the USA as Agent

- ✿ Proposal – Responsibilities of the Foreign Facility
 - ❑ Provide letters of reference (sponsors) from two established organizations
 - ❑ Provide Tea Association/FDA with all requested information on a timely basis. For existing facilities, information should be received by November 12, 2003.
 - ❑ Make all necessary payments for the initial registration to the Tea Association (if required) & subsequent changes or renewal fees.



Tea Association of the USA as Agent

✦ To Our Members

- ✦ We are pleased to officially act as your agent as a service of membership

✦ To Other Foreign Facilities

- ✦ We are pleased to act as your agent to help you comply with the new Bioterrorism Act





Benefits of using the Tea Association as Agent

✦ Tea Association

- ✦ Knowledge of the Tea Industry
- ✦ Reputation with the FDA
- ✦ Impartiality
- ✦ No or minimal fees
- ✦ 104 Years old & counting

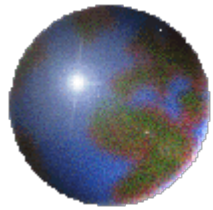
✦ Other Options

- ✦ May not be as familiar with industry
- ✦ May not have the same connections
- ✦ Confidentiality may be an issue
- ✦ Reputation, experience, and years in business cannot compare



Next Steps to Nominating the Tea Association of the USA as Your Agent

- ✦ Visit The Tea Association's website at www.teausa.org for full details
- ✦ Complete & sign the Letter of Agreement and send it with your sponsor information and facility information to the Tea Association of the USA
- ✦ Send the required fees (if any) with the rest of your information



***WORKING TOGETHER
FOR THE GOOD OF THE
TEA INDUSTRY!***

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