

Determining the FSVP Importer

Instructions: This workaid is intended to help a person/entity who receives/sells imported food to ensure that an appropriate FSVP importer has been designated by parties involved in the importation of the food AND that the U.S. Customs and Border Protection (CBP) filer enters that name, email address, and DUNs number as the FSVP importer.

Imported Food(s)/ Food Product(s) Information		Supplier Information			Determining FSVP Importer			Designated FSVP Importer*	CBP Entry Filer
<p>What food(s)/ food product(s) do you Import (receive)? <i>[Note: List each food/food product. Be specific, e.g., can sizes; size packages; bulk weight]</i></p>	<p>For each food listed, will the food or food product made from the imported food be offered for sale in the U.S.?</p>	<p>From whom do you purchase the food (i.e., supplier's name, address, etc.)?</p>	<p>Is the supplier a U.S. company or a foreign company?</p>	<p>Does the person/ company from whom you directly purchase the food fit the FSVP definition of foreign supplier (i.e., grower, manufacturer)?</p>	<p>Describe the current buying arrangement (s) (i.e., name all parties involved in obtaining the food product, including foreign supplier, if known)</p>	<p>At time of entry, do you own the food, or have you purchased or agreed to purchase the food (i.e., do you fit the definition of "U.S. owner or consignee" and therefore, FSVP "importer" for this food)?**</p>	<p>Who else involved in this arrangement fits the FSVP definition of importer? <i>[Note: Be specific, e.g., are there multiple purchasers for the same line entry of food, do you purchase food from a U.S. importer/ distributor?]</i></p>	<p>If more than one person/entity fits the definition of importer, negotiate with others to determine who will carry out FSVP requirements. <i>[Note: Place name below and formalize the understanding (i.e., create an agreement identifying FSVP importer)]</i></p>	<p>Who fills out CBP entry filing for this food/food product (i.e., name, address)? <i>[Note: Provide copy of agreement/ understanding identifying the FSVP Importer* to be identified in CBP entry filing (i.e., name, address, email, and DUNS number of agreed upon FSVP importer)]</i></p>

*The person identified as the FSVP "importer" in the CBP entry filing is the person FDA will see as responsible for complying with the FSVP rule.
 **You would also meet the definition of FSVP importer if there is no U.S. owner or consignee at time of entry and you are the U.S. agent or representative of the foreign owner or consignee.