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Committee on Sanitary and Phytosanitary Measures

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**INFORMATION TO MEMBERS: UNITED STATES – USDA FSIS FINAL RULE
ON EGG PRODUCTS INSPECTION REGULATIONS**

SUBMISSION BY THE UNITED STATES OF AMERICA

The following document, received on 13 November 2020, is being circulated at the request of the Delegation of the United States of America.

1.1. The United States is pleased to take the floor today to inform Members of an important final rule modernizing the inspection requirements for egg products.

1.2. On 9 September 2020, the United States Department of Agriculture's (USDA) Food Safety and Inspection Service (FSIS) announced that it is modernizing inspection methods for egg products. The final rule was subsequently published in the Federal Register on 29 October 2020 and notified to the WTO on 3 November 2020 ([G/SPS/N/USA/2985/Add.1](#)).

1.3. FSIS is the public health agency in the USDA responsible for protecting the public's health by ensuring the safety of meat, poultry, and egg products. FSIS is the competent authority responsible for certifying these products for export, as well as conducting import reinspection of these products at the point of entry prior to entering US commerce.

1.4. The Egg Products Inspection Regulations final rule aligns the egg products regulations with current requirements in meat and poultry products inspection regulations. FSIS defines egg products as any dried, frozen, or liquid eggs, with or without added ingredients, except products that contain eggs only in a relatively small proportion.

1.5. Under the new rule, federally inspected egg products establishments are required to develop and implement Hazard Analysis and Critical Control Points (HACCP) systems and Sanitation Standard Operating Procedures (SSOPs). FSIS will continue to test for residues, *Salmonella*, and *Listeria monocytogenes* (Lm) in egg products. FSIS will also continue to require establishments that produce egg products to meet food safety standards including the requirement to be edible without additional preparation.

1.6. Under the HACCP system, establishments will be able to tailor their food safety system to fit their facility and equipment. Further, by removing prescriptive regulations, establishments will have the flexibility and the incentive to innovate new means to achieve enhanced food safety.

1.7. In addition, FSIS will be exercising regulatory authority over egg substitutes and freeze-dried egg products, which pose the same risk as egg products and will be inspected in the same manner, thus enhancing the existing food safety system. FSIS requires that these products be produced under FSIS inspection and jurisdiction, and is phasing in requirements for these products over a three-year period.

1.8. The agency has also realigned regulations governing the importation and inspection of foreign egg products more closely with regulations governing the importation of foreign meat and poultry products. FSIS will notify these regulatory changes to all Members of the WTO SPS Committee. Countries that have ongoing equivalence and most countries that have requested initial equivalence for egg products have already implemented HACCP for egg products for domestic consumption.

1.9. After publication of the final rule in the Federal Register, the new requirements will be phased in. FSIS is allowing domestic establishments and foreign countries who export egg products to the United States until 29 October 2021 to implement SSOP procedures, and until 31 October 2022 to implement HACCP procedures. All other regulatory requirements, including those for the pasteurization of egg products, will take effect on 28 December 2020.

1.10. FSIS will follow-up by sending a letter outlining key policy changes to each impacted country.

1.11. Additional questions on this measure can be directed to InternationalCoordination@usda.gov.
