

CPG Sec. 110.800 Imports, Post Detention Sampling

BACKGROUND:

Importers sometimes request from FDA, rather than Customs, permission to take samples from detained lots for the purpose of analysis, or other examination, usually to explore the possibility of reconditioning or contest. Frequently the imported lot may be physically in possession of the importer and held under redelivery bond or in Customs custody pending final disposition.

POLICY:

The Food and Drug Administration has no objection to an importer taking reasonable samples for appropriate analysis or other examination from detained shipments. Whether the goods are in Customs custody or in physical possession of the importer under redelivery bond, the importer must assume responsibility for obtaining permission from Customs and complying with any instructions from that agency. The importer must take such steps as may be necessary to account to Customs for whatever amount is missing if he is called upon to redeliver the detained lot to Customs custody for destruction or exportation.

Material between asterisks is new or revised

Issued: 3/15/77

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