

## NEWS IN BRIEF

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### FDA Food Facility Renewal Registration Begins Oct. 1

The Food and Drug Administration's (FDA) Food Facility Registration Renewal will open on October 1, 2022. The registration period will be open through December 31, 2022. All food facilities of an importer's supply chains must submit a timely renewal. Failure to do so will cause products to be denied entry into the U.S. beginning January 1, 2023.

There is a change in the new registration. A DUNS number for each food facility location must be provided as part of the FDA renewal. In the past, FDA has been flexible, allowing the use of "pending" if a DUNS' number could not be obtained. FDA will no longer offer this flexibility and a DUNS number will absolutely be required. Each facility will need its own DUNS number for its location. A DUNS number for the corporate headquarters is not sufficient.

**SPECIAL NOTE:** The name and contact information on the FDA food facility registration must exactly match the DUNS number contact information. If not, the registration may be cancelled. For example, if the FDA registration identifies "ABC Manufacturing" at "123 Main Street," while the DUNS number information is listed as "ABC Manufacturing LLC" at 123 Main St.," the registration will be denied. The two must be an exact match in every way.

Food importers must communicate with the food facilities in their supply chain, including the manufacturer or grower, the consolidator, the shipper, and the ultimate consignee ("deliver to" party) to alert them of the food facility renewal requirement from October 1, 2022, to December 31, 2022. Members of your supply chain should be strongly urged to renew early to avoid any interruption in importations into the U.S.

Here is the Dun and Bradstreet [website](#) for obtaining a DUNS number.

Instructions from the Food and Drug Administration (FDA) on how to file the food facility registration can be found by clicking [here](#). The FDA has also setup some helpful hints on its [website](#). FDA webinar to assist with the registration can be found by clicking [here](#).

### Security Guards Union Potential Strike is Averted

A few weeks ago, the ILWU Security Guards local union voted to approve a strike in the Ports of Los Angeles and Long Beach. This local union is under a separate contract from the Coastwise ILWU Contract for the longshoremen that is still being negotiated. The challenge of a potential strike for this much smaller union would have been that the ILWU would have honored its picket lines and the supply chain would face a disruption. The PMSA has announced that a new contract offer has been accepted and that it should be ratified by the members of the union soon.

### TTB Issues Notices and Instructions for CBMA 2023 Liquor Tax Benefits

Congress granted reduced IRS Taxes on imported and domestic liquors when it passed the Craft Beverage Modernization Act of 2017 (CBMA). For importers a complicated format was setup for the filing of import entries with reduced IRS taxes by taking advantage of foreign producers' assigned benefits for CBMA. Specific documentation and spreadsheets were required at filing for the lower IRS taxes to be applied to the entries. Refunds on paid IRS taxes from U.S. Customs and Border Protection were allowed after entry when the supporting documentation was supplied with a refund request under a Post Summary Correction (PSC) or under a protest filed for entries that had liquidated.

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The original process for reduced IRS taxes will be changed beginning on January 1, 2023. The administration of the reduced taxes will be taken over by the Alcohol and Tobacco Tax and Trade Bureau (TTB). Beginning January 1, 2023, all IRS taxes will have to be paid with the Customs entry and a refund request will have to be made to TTB. The Special documentation and spreadsheets will still be required for the Customs entry prior to January 1, 2023. This special documentation is what TTB will use to confirm the taxes that may qualify for refunds. Requests to TTB for the tax refunds will be accepted quarterly.

TTB has issued two Federal Register Notices on the same day to announce the changes and for the procedures for the changes in the program. The first one can be found by clicking [here](#). The second one by clicking [here](#).



By **Todd Boice**, *President*