

agreement with a State if the Administrator determines that the State is not conducting inspection at selected establishments in a manner that complies with the Act and the implementing regulations in this chapter.

[76 FR 24752, May 2, 2011]

## PART 322—EXPORTS <sup>1</sup>

Sec.

322.1 Manner of affixing stamps and marking products for export.

322.2 Export certificates; instructions concerning issuance.

322.3 Transferring products for export.

322.4 Clearance of vessels and transportation without certificate prohibited; exceptions.

322.5 Uninspected tallow, stearin, oleo oil, etc., not to be exported unless certified as prescribed.

AUTHORITY: 21 U.S.C. 601-695; 7 CFR 2.17, 2.55.

SOURCE: 35 FR 15604, Oct. 3, 1970, unless otherwise noted.

### § 322.1 Manner of affixing stamps and marking products for export.

(a) The outside container (including cloth wrappings) of any inspected and passed product for export, except ship stores, small quantities exclusively for the personal use of the consignee and not for sale or distribution, and shipments by and for the U.S. Armed Forces, shall be marked with an official export stamp, as shown in §312.8 of this subchapter, bearing the number of the export certificate.

(b) Each tank car of inspected and passed lard or similar edible product, and each door of each railroad car or other closed means of conveyance, containing inspected and passed loose product shipped directly to a foreign country, shall be marked with an official export stamp, as shown in §312.8 of this subchapter, bearing the number of the export certificate.

[42 FR 11825, Mar. 1, 1977, as amended at 50 FR 25204, June 18, 1985]

<sup>1</sup>Attention is directed to the requirements of part 325 of this subchapter, governing transportation, and to the requirements of §318.8 of this subchapter that products prepared under that section for export be destroyed for food purposes before being sold or offered for sale for domestic use.

### § 322.2 Export certificates; instructions concerning issuance.

(a) Upon application of the exporter, the inspector in charge is authorized to issue official export certificates for shipments of inspected and passed product to any foreign country. Certificates should be issued at the time the products leave the official establishment; if not issued at that time they may be issued later only after identification and reinspection of the products.

(b) Official export certificates shall be issued with serial numbers and in triplicate form. Quadruplicate certificates may be issued for any exportation on request of the exporter. Each certificate shall show the names of the exporter and the consignee, the destination, the number and types of packages, the shipping marks, the kinds of products, and the weight of the products in accordance with §317.2 of this subchapter.

(c) Only one certificate shall be issued for each consignment, except that for sufficient reasons new certificates in lieu of the original certificates may be issued. A certificate issued in lieu of another shall show in the left hand margin the notation "Issued in lieu of \* \* \*", and the number of the certificate which is superseded. The certificate that is superseded when another is issued in lieu thereof, shall if available, be surrendered to the inspector in charge and marked by him to show in the left hand margin the number of the certificate which supersedes it, as follows: "Superseded by No. —".

(d) The original of the certificate shall be delivered to the shipper and may be furnished by him to the consignee for purposes of effecting the entry of product into the foreign country of destination.

(e) The duplicate of the certificate shall be delivered to the shipper and shall be delivered by the shipper to the agent of the railroad or other carrier which transports the consignment from the United States otherwise than by water, or to the chief officer of the vessel on which the export shipment is made, or to the vessel's agent and shall be used only by such carrier and only