

(f) Under paragraph (d) of this section, the owner, purchaser, importer or consignee must arrange for storage of the article of food in an FDA-designated secure facility and must promptly notify FDA of the location. Any movement of the article to the facility must be accomplished under bond. Transportation and storage expenses shall be borne by the owner, purchaser, importer, or consignee.

(g)(1) Under paragraph (d) of this section, the article of food must be held at the port of entry or in the secure facility until the owner, operator, or agent in charge of the foreign facility has submitted its registration information to FDA, FDA has registered the facility in accordance with § 1.231, and FDA has notified the U.S. Customs Service and the person who submitted the registration that the article of food no longer is subject to a hold under section 801(l) of the act.

(2) Under paragraph (d) of this section, notwithstanding section 801(b)

of the act (21 U.S.C. 381(b)), while any article of food is held at its port of entry or in a secure facility under section 801(l) of the act, it may not be delivered to any of its importers, owners, or consignees.

(h) Under paragraph (d) of this section, a determination that an article of food is no longer subject to hold under section 801(l) of the act is different than, and may come before, determinations of admissibility under other provisions of the act or other U.S. laws. A determination that an article of food is no longer subject to hold under section 801(l) does not mean that it will be granted admission under other provisions of the act or other U.S. laws.

§ 1.242 What does assignment of a registration number mean?

Assignment of a registration number to a facility means that the facility is registered with FDA. Assignment of a registration number does not in any way denote FDA's approval or endorsement of a facility or its products.

§ 1.243 Is food registration information available to the public?

(a) Registration forms submitted under this subpart, and any information contained in those forms that would disclose the identity or location of a specific registered person, is not subject to disclosure under 5 U.S.C. 552 (the Freedom of Information Act).

(b) Paragraph (a) does not apply to any information obtained by other means or that has previously been disclosed to the public as defined in § 20.81 of this chapter.

Dated: January 27, 2003.

Tommy G. Thompson,

Secretary of Health and Human Services.

Dated: January 27, 2003.

Kenneth W. Dam,

Acting Secretary of the Treasury.

Note: The following appendix will not appear in the Code of Federal Regulations.

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