F41/16: FYI USA Food Safety Modernisation Act Rules: Information and Guidance

Food Products

6 October 2016

For Your Information

1 Overview

Under the **Food Safety Modernisation Act (FSMA)**, the United States government established a series of rules (regulations) that have a direct and indirect effect on New Zealand operators producing, processing, transporting and exporting various food products (including animal food) regulated by the United States Food and Drug Administration (FDA). These rules are now being implemented in stages beginning 19 September 2016 and ending in 2021. The tables at the end of this FYI indicate the implementation timeframe for each rule. FSMA and its associated rules are administered by the FDA and do not apply to sheep meat, beef, poultry or ratite exports which are regulated by the United States Department of Agriculture (USDA) Food Safety and Inspection Service (FSIS). However, note that venison and meat by-products for pet food are regulated by the FDA.

The FSMA rules are as follows:

a) Current Good Manufacturing Practice and Hazard Analysis and Risk-Based Preventive Controls for Human Food (**The Preventative Control (human food) Rule**)
b) Current Good Manufacturing Practice and Hazard Analysis and Risk-Based Preventive Controls for Food for Animals (**The Animal Food Rule**)
c) Standards for the Growing, Harvesting, Packing and Holding of Produce for Human Consumption (**The Produce Rule**)
d) Foreign Supplier Verification Programs for Importers of Food for Humans and Animals (**The Foreign Supplier Verification (FSV) Rule**)
e) Accreditation of Third-Party Certification Bodies to Conduct Food Safety Audits and to Issue Certifications (**The Third Party Accreditation (TPA) Rule**)
f) Focused Mitigation Strategies to Protect Food against Intentional Adulteration (**The Food Defence Rule**)
g) Sanitary Transportation of Human and Animal Food (**The Transport Rule**)

This FYI provides information and guidance on the Ministry for Primary Industries (MPI) current understanding of how the above rules will affect food products intended for export to the United States. It will be updated as more information comes to hand but exporters are strongly encouraged to closely follow the FDA web site http://www.fda.gov/.

Application

The only requirement that directly applies to New Zealand exporters is the existing requirement to formally register with the FDA. However there have been modifications made to this requirement. Effectively, by registering, exporters are agreeing to subject themselves to inspections by the FDA.

The rest of the rules directly apply to United States domiciled importers, growers and processing companies. However the effect of the rules requires these United States commercial entities to contractually impose similar requirements on their foreign suppliers.

Food Safety Systems Recognition Arrangement (FSSRA)

To help mitigate the impacts of FSMA on New Zealand operators, and to leverage off New Zealand food safety requirements, MPI concluded a comprehensive FSSRA with the United States FDA in 2012. The Canadian Food Inspection Agency (CFIA) concluded a similar Arrangement with the FDA in 2016 and we understand Australia is now close to finalising one also. While some of the new rules have set lesser requirements for imports from countries with a FSSRA, others have not been so explicit. Regardless, there is an understanding that MPI and FDA will go through a review and updating process whenever one or the other country's Appropriate Level of Protection (ALOP) significantly changes. This updating is likely to occur during the provisionally scheduled five yearly review of the FSSRA in 2017.

It is important for New Zealand businesses to note that because many FSMA rules will likely be imposed upon them by commercial contract from importers, these contracts may not take into account the exemptions and variances that arise from the FSSRA. While the FDA has indicated it is in the process of working up further guidance for importers/exporters dealing with FSSRA product, it cannot be assumed that this will come out in time for many contract negotiations. The United States FDA are also unlikely to delve too deeply into the New Zealand Agreement specifics in any explicit guidance for importers. It is therefore important New Zealand businesses negotiate contracts with some level of understanding of how the FSSRA applies to their particular situation. MPI intends to provide further guidance on the specific details of how the FSSRA influences the application of the rules as and when MPI further clarifies details with FDA. In the interim, MPI is collecting evidence (Email marketaccess@mpi.govt.nz Subject line: FSMA) of the sort of arrangements being imposed on exporters so that it has appropriate real life scenarios to use in its ongoing negotiations with the FDA.

2 General effect of the FSMA rules

In general, the FSMA rules seek to implement risk-based (HACCP-type) controls for food safety and food security. The rules oblige United States businesses to commercially apply similar controls all the way back through the supply chain regardless of international boundaries (all the way back to the primary source of each and every ingredient). MPI understands this is already starting to occur in response to United States manufacturers attempting to meet their obligations under the Preventative Controls Rules (in force from 19 September 2016). Even though the substantive supply chain assurances requirements (subpart G) don't come into effect until 17 March 2017 and the Foreign Supplier Verification rule doesn't come into effect with respect to importers until 30 May 2017 (see attached tables).

The FSMA rules will only apply to New Zealand exports where the products concerned are subject to FDA regulation within the United States. This means products that are entirely regulated under the USDA (e.g. fresh meat exports with the exception of venison) will not be affected by these rules.

Some classes of product regulated by the FDA, but which are already subject to HACCP-type risk based control regulation, are also excluded from most of these rules e.g. seafood, some juices and fresh milk (Grade A) dairy products. Each rule also identifies various exemptions, exclusions and variances, and these vary by rule. For comprehensive information about what rule will apply, or what parts of a rule will apply businesses should familiarise themselves with the rules directly, links to all the rules are provided in Table 1 below.

2.1 Registration as a Food Facility

Food Facility registration has been in place for a number of years for foreign food facilities that manufacture, process, pack, or hold food for human or animal consumption in the United States. This year there have been some significant changes made to the registration process and requirements which alters the accountability balance from previous years. New Zealand exporters need to ensure they are aware of these changes and how they affect their businesses.

The FSMA amended section 415 of the Federal Food, Drug, and Cosmetic Act (FD&C Act), to require that facilities engaged in manufacturing, processing, packing, or holding food for consumption in the United States submit additional registration information to FDA, including the type of activity conducted at the facility for each food product category and an assurance that FDA will be permitted to inspect the facility at the times and in the manner permitted by the FD&C Act. It also provides FDA with authority to suspend the registration of a food facility in certain circumstances.

2016 Food Facility Registration Biennial Renewal

2016 Food Facility Registration Biennial Renewal period begins at 12:00 AM on 1 October and ends at 11:59 PM on 31 December 2016 US time. Updating registration is a different function from renewing it. During the renewal period, the "Update Facility Registration" button listed on the Food Facility Registration main menu (FFRM) will not be visible until the registration is renewed. If a registration is not renewed by 11:59 PM on 31 December 2016, the registration will expire and be removed from the registrant's account.

FDA is continuing to use the version of the food facility registration form, Form FDA 3537, which was in use prior to the 14 July 2016 issuance of the Amendments to Registration of Food Facilities final rule (81 Fed. Reg. 45912). This version of the form does not include all of the data elements required by the 14 July 2016 final rule. FDA plans to implement a revised version of the form shortly.

A general rule of thumb whether the FSMA rules will apply is if the facility has to register as a food facility with FDA then FSMA rules will probably apply to the products being imported into the United States.

For example, a partial list of product classes that require food facility registration is:

- Fruits and vegetables
- Fish and fish products
- Dairy products
- Eggs and egg products (except those that are subject to regulation solely under USDA)
- Raw agricultural commodities for use in human or animal food
- Casings used as containers for human food
- Animal feed, including pet food (excludes raw material for pet food manufacture whose import is regulated under the USDA, e.g. frozen animal offal)
- Food and feed ingredients and additives
- Dietary supplements
- Infant formula
- Beverages, including bottled water and alcoholic beverages
- Live food animals
- Bakery goods
- Snack foods
- Canned foods
- Candy

Farms and non-processing fishing vessels are not required to register.

2.2 What is Essential for Operators to Know?

Overarching effect and scope of the MPI/FDA FSSRA

The scope of the 2012 MPI/FDA agreed FSSRA is comprehensive and provides for a variety of differential treatment. In essence it recognised MPI's regulatory system as comparable to that operated by the FDA. It accordingly provided for both a substantially reduced frequency of in-country audit and when such audits did occur they would be in conjunction with MPI and would use MPI standards, as already judged comparable, as the base standard. It also provides for reduced border inspection and modified procedures should problems be found, based on cooperation between MPI and the FDA. Lastly it stated that when one or other of the parties significantly changes their regulatory requirements (level of protection) then a reassessment process will occur, but in the interim existing conditions of trade will prevail.

However, while some of the rules promulgated by FDA explicitly recognise both country FSSRA's and equivalence decisions, others did not. Effectively those that don't represent situations where the FDA has significantly changed their level of protection. While many of the overarching commitments contained in the FSSRA will continue to apply (e.g. reduced level of FDA audits being coordinated through MPI), United States importers will still be expected to collect and verify sufficient information to be able to demonstrate to the FDA that they are appropriately assured any hazards normally associated with the food / feed are being appropriately controlled.

On the positive side, the Foreign Supplier Verification Rule explicitly recognises FSSRAs and equivalence decisions but predominantly just for consumer and or food service ready exports (food that is not required to be further commercially processed). United States importers are not required to conduct any further mandatory due diligence other than maintain records that the manufacturing premises are in good regulatory standing. FDA has asked MPI to provide a publically available list of New Zealand manufacturers in good regulatory standing for use by United States importers. Discussions on how this may be done are still ongoing.

For food ingredients, the FDA has determined that imports from FSSRA countries should be treated the same way as if they were being purchased from a United States supplier. Unfortunately, subpart G of the Preventative Control (Human Food) Rule essentially requires United States manufacturers to subject all ingredient suppliers to a hazard assessment and control verification approval process regardless of source. As the FDA's initial regulatory comparison process focussed heavily on how MPI regulates the primary production of animal products, discussions are ongoing as to how this recognition can be factored in so as to provide some level of simplified and expedited process.

Other rules such as the Animal Feed, the Produce and Food Defence rules are new areas of regulation which essentially constitute a significant change in the United States' appropriate level of protection (ALOP) and thus will require further MPI equivalence submissions and assessments by the FDA. On the positive side, for the Animal Feed rule as it applies to those feeds regulated under the Animal Products Act, most of the applicable controls have already been assessed by the FDA with respect to how MPI similarly controls human foods so it is hoped this can be an expedited process.

A. The Preventative Control (Human Food) Rule

United States Facilities covered by this rule must establish and implement a written food safety plan that includes:

- Hazard identification and analysis of known or reasonably foreseeable biological, chemical and physical hazards
- Preventative controls: measures to ensure hazards are prevented or minimised – includes process, food allergen, sanitation, supply chain controls and a recall plan.
- Oversight and management of preventative controls – monitoring, corrective actions, verification.

By March 2017, New Zealand food manufacturers and exporters can expect that they will have been required to submit information to United States importers as part of supply chain programmes for raw materials and other ingredients, to enable importers to perform supply chain verification activities for hazards that are controlled by

the foreign supplier. MPI continues to be in discussion with the FDA as to whether a more standardised process based on their assessment of our regulatory controls coupled with a standardised written assurance provided by MPI annually would negate the level of duplicative effort associated with the above processes.

B. The Animal Food Rule

The rule comes into effect as far as requiring United States premises to ensure current Good Manufacturing Practices (GMP) are being applied from 19 September 2016.

Depending on size, United States Facilities must then establish and implement a food safety system that includes an analysis of hazards and risk-based preventive controls 1-3 years after this date. United States facilities purchasing ingredients must ensure similar assessments and controls are in place before approving suppliers. The rule sets requirements for a written food safety plan that includes:

Hazard analysis: The first step is hazard identification, which must consider known or reasonably foreseeable biological, chemical, and physical hazards. These hazards could be present because they occur naturally, are unintentionally introduced, or are intentionally introduced for economic gain (if they affect the safety of the food).

Preventive controls: These measures are required to ensure that hazards requiring a preventive control will be minimised or prevented.

- **Oversight and management of preventive controls:** The final rule provides flexibility in the steps needed to ensure that preventive controls are effective and to correct problems that may arise.
- **Monitoring:** These procedures are designed to provide assurance that preventive controls are consistently performed. Monitoring is conducted as appropriate to the preventive control. For example, proper refrigeration could be documented with either affirmative records demonstrating temperature is controlled or "exception records" demonstrating loss of temperature control.
- **Verification:** These activities are required to ensure that preventive controls are consistently implemented and effective. They include validating with scientific evidence that the control is capable of effectively controlling an identified hazard; confirming implementation and effectiveness; and verifying that monitoring and corrective actions (if necessary) are being conducted.

  Product testing and environmental monitoring are possible verification activities but are only required as appropriate to the food, facility, nature of the preventive control, and the role of that control in the facility's food safety system.

Recall plan: Every facility that produces animal food with a hazard requiring a preventive control must have a recall plan.

Processors already implementing human food safety requirements for their operations do not need to implement additional preventive controls or GMP when supplying a material for animal food, except to prevent physical and chemical contamination when holding and distributing the material.

By September 2017 New Zealand food manufacturers and exporters can expect United States importers will have required them to submit information as part of supply chain programmes for raw materials and other ingredients for animal food, to enable the importers to perform supply chain verification activities for hazards that are controlled by the foreign supplier.

C. The Fresh Produce Rule

This rule establishes science-based minimum standards for the safe growing, harvesting, packing, and holding of fruits and vegetables grown for human consumption. The focus is on practices, not commodities. Operations whose only activities are within the farm definition are not required to register with FDA as food facilities, and are not subject to the preventive controls regulations. However, those United States companies importing from operators which meet the "farm" definition will still need to ensure their suppliers meet the Produce Safety Rule.

There are a number of exemptions which are explained fully in guidance material, along with a flowchart. Furthermore, FDA will accept applications for variance requests from the exporting country competent authority (i.e. MPI) based on demonstration of the same or comparable level of protection.

Exemptions include:

- Produce that isn't a raw agricultural commodity.
- A list of commodities that are rarely consumed raw such as asparagus, sweetcorn, cranberries; dill (seeds and weed); eggplants; figs; horseradish; hazelnuts; peppermint; potatoes; pumpkins.
- Food grains and oilseeds.
- Produce for personal or on-farm consumption.
- Small farms.
- Produce that receives commercial processing that adequately reduces the risk of microorganisms of public health concern.

Key requirements:

- Agricultural water quality criteria.
- Agricultural water testing surveys for untreated ground or surface water.
- Standards on biological soil amendments such as raw manure and compost.
- Specific requirements for sprouts, which are highly vulnerable to contamination with pathogens due to the growing conditions which also favour growth of microbes.
- Standards for farms that grow produce where grazing animals are kept or feral animals intrude.
- Worker training, health and hygiene.
- Standards to prevent equipment, tools and buildings from contaminating produce through inadequate sanitation.

D. Foreign Supplier Verification Rule

United States Importers must have in place Foreign Supplier Verification Programs (FSVPs) to verify that imported food has been produced in a manner that meets applicable United States safety standards. Under FSMA, this relates to the two preventative controls rule and the produce safety rule, as well as ensuring the supplier's food is not adulterated and is not misbranded with respect to allergen labelling. The FSVP rule effectively has the biggest potential impact on foreign food exporters, who would need to work with their United States importers to ensure that the required food safety information is provided.

Significantly for New Zealand, there are modified requirements for certain foods from a foreign supplier in a country whose food safety system has been recognised as comparable or determined to be the equivalent of the United States' system (FSSRA). Importers won't need to perform the hazard analysis, evaluation, verification and corrective actions, provided that:

- The food is within the scope of the relevant official recognition or equivalency determination;
- The importer determines that the foreign supplier of the food is in good compliance standing with the relevant food safety authority; and
- The food is not intended for further processing in the United States, e.g., packaged food products and raw agricultural commodities (RACs) that will not be processed further before consumption.

The rule also establishes modified FSVP requirements for very small importers and importers of food from certain small foreign suppliers. The definition of "very small importer" has been aligned with the definitions of "very small business" under the regulations on preventive controls for human food and animal food. With respect to the importation of human food, the definition of very small importer has an annual sales ceiling of $1,000,000, which is consistent with the $1,000,000 annual sales ceiling for a very small business under the preventive controls for human food regulation. With respect to the importation of animal food, the definition of very small importer has an annual sales ceiling of $2,500,000, which is consistent with the $2,500,000 annual sales ceiling for a very small business under the preventive controls for animal food regulation.

E. Third Party Accreditation Rule

This rule establishes a voluntary programme for the accreditation of third-party certification bodies, or auditors, to conduct food safety audits and issue certifications of foreign facilities and the foods for humans and animals they produce. These requirements cover the competence and independence of both the accreditation bodies and third-party certification bodies, i.e. legal authority, competency, capacity, conflict of interest, quality assurance, records. While the rule recognises ISO/IEC standards, it essentially requires these bodies to regulate foreign entities as if they were subject to United States law. This includes requiring these bodies to report their findings positive and negative directly back to the FDA.

An accredited third party certification body can be either a foreign government, or other third party entity or an individual. Where the foreign government has a FSSRA with the FDA there are significantly different expectations and greater freedoms (e.g. use of MPI standards, competency requirements and audit compliance reporting lines). Accordingly it is not anticipated that many businesses will go down the route of employing a FDA recognised (and accountable) independent third party certification body.

F. The Food Defence Rule

Also known as the Intentional Adulteration Rule, this rule aims to prevent intentional adulteration from acts intended to cause wide-scale harm to public health, including acts of terrorism targeting the food supply.

United States and foreign companies required to register with the FDA as food facilities under the Federal Food, Drug, and Cosmetic (FD&C) Act (see pg. 3 of this FYI) are required to prepare and implement a food defence plan. It mainly covers large companies whose products reach many people. Smaller companies and farms are exempt.

A food defence plan is similar to Hazard Analysis Critical Control Point (HACCP) systems that are used to manage normal risks to food safety, but with a focus on deliberate actions intended to make food unsafe and cause wide spread harm to consumers.

G. The Transport Rule

The goal of this rule is to prevent practices during transportation that create food safety risks, such as failure to properly refrigerate food, inadequate cleaning of vehicles between loads, and failure to properly protect food. The rule establishes requirements to use sanitary practices to ensure the safety of food for shippers, loaders, road or rail carriers, and receivers. Internal transport operations in a foreign country are covered by the rule if food is being transported that is intended for export to the United States. Transport operations covered by an Animal Products Act (APA) registered Regulated Control Scheme (RCS) or Risk Management Programme (RMP) already substantially comply with this rule.

3 General information

FDA information related to FSMA and the Foundational Final Rules, and how this affects food imported into the United States is available here: http://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm257980.htm

Frequently Asked Questions (FAQs) are available here:
http://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm247559.htm

Information on FDA's International Capacity Building Plan is available here:
http://www.fda.gov/downloads/Food/GuidanceRegulation/UCM341440.pdf

FDA is currently developing guidance for industry on current GMP (CGMP) requirements, hazard analysis and preventative controls, human food by-products for use as animal food, and a small entity compliance guide that explains the actions a small or very small business must take to comply. FDA has established a Food Safety Technical Assistance Network (TAN) within FDA to provide a central source of information including responding to email enquiries. http://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm459719.htm.

Link to the FSMA factsheets and presentations
http://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm247546.htm

List of FSMA Final Rule Fact Sheets:

- Accredited Third-Party Certification Final Rule
- Foreign Supplier Verification Programs (FSVP) for Importers of Food for Humans and Animals Final Rule
- Mitigation Strategies to Protect Food Against Intentional Adulteration Final Rule
- Preventive Controls for Food for Animals Final Rule
- Preventive Controls for Human Food Final Rule
- Sanitary Transportation of Human and Animal Food Final Rule
- Standards for Produce Safety Final Rule

Table 1: General compliance dates and further available information for FSMA Final Rules

Final Rule	General Compliance Dates	Notes	Useful links for more information
Preventative Controls for Human Food	19 September 2016 17 March 2017 for Supply Chain Programme	Supply Chain Program compliance is 17-03-17 or six months after a supplier is required to comply with the applicable rule	For more information on the Human Food Preventative Control Final Rule: https://federalregister.gov/a/2015-21920 FDA Guidance is available at: http://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm334115.htm FDA Fact Sheet available at: www.fda.gov/downloads/Food/GuidanceRegulation/FSMA/UCM461834.pdf
Preventative Controls for Animal Food	19 September 2016 for CGMPs 18 September 2017 for PCs and Supply Chain Programs	Supply Chain Program compliance is one year after a supplier is required to comply with CGMPs.	For more information on the Animal Food Preventative Control Final Rule: https://federalregister.gov/a/2015-21921 FDA Guidance is available at: http://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm366510.htm FDA Fact Sheet available at: www.fda.gov/downloads/Food/GuidanceRegulation/FSMA/UCM461884.pdf
Produce Safety	26 January 2018	Farms have a further 2 years to comply with certain water related requirements; activities involving sprouts have earlier compliance dates	FDA flow-chart for growers to see whether their produce is covered by the Produce Safety Rule: http://www.fda.gov/downloads/Food/GuidanceRegulation/FSMA/UCM479592.pdf For more information on the Produce Safety Final Rule: https://www.federalregister.gov/articles/2015/11/27/2015-28159/standards-for-the-growing-harvesting-packing-and-holding-of-produce-for-human-consumption FDA Guidance is available at: http://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm334114.htm

Foreign Verification Supplier Program (FVSP)	30 May 2017 (human food) September 2017 (animal food)	All importers must comply with FSVP by the implementation date, or six months after their suppliers reach their FSMA compliance deadlines, whichever is the later date.	For more information on the FVSP Final Rule: https://www.federalregister.gov/articles/2015/11/27/2015-28158/foreign-supplier-verification-programs-for-importers-of-food-for-humans-and-animals FDA guidance is available at: http://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm361902.htm FDA Factsheet is available at: http://www.fda.gov/downloads/Food/GuidanceRegulation/FSMA/UCM472890.pdf
Third Party Certification and Accreditation	Pending	Implementation will occur after Model Accreditation Standards have been issued, yet to be released by FDA.	For more information on the Third Party Certification Final Rule: https://www.federalregister.gov/articles/2015/11/27/2015-28160/accreditation-of-third-party-certification-bodies-to-conduct-food-safety-audits-and-to-issue FDA Guidance is available at: http://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm361903.htm FDA Fact sheet is available at: http://www.fda.gov/downloads/Food/GuidanceRegulation/FSMA/UCM472891.pdf
Sanitary Transportation	6 April 2017		For more information on the Sanitary Transportation Final Rule: https://www.federalregister.gov/articles/2016/04/06/2016-07330/sanitary-transportation-of-human-and-animal-food FDA Guidance is available at: http://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm383763.htm
Intentional Adulteration (Food Defense)	26 July 2019		For more information on the Intentional Adulteration Final Rule: http://www.fda.gov/Food/GuidanceRegulation/FSMA/default.htm

Table 2: Small business compliance dates for FSMA Final Rules

Final Rule	Small Business (SB) and Very Small Business Definitions (VSB)	Small Business Compliance Dates	Notes
Preventative Controls for Human Food	SB <500 FTE employees VSB < $1 M in sales + market value of food manufactured/processed/packed/held without sale	18 September 2017	Supply Chain Program compliance is 18-09-17 or six months after a supplier is required to comply with the applicable rule
Preventative Controls for Animal Food	SB <500 FTE employees VSB< $2.5 M in sales + market value of food manufactured/processed/ packed/held without sale	18 September 2017 for CGMPs 17 September 2018 for PCs	Supply Chain Program compliance is 17-09-18 or six months after a supplier is required to comply with the applicable rule
Produce Safety	SB <$500K in produce sales VSB < $250 K in produce sales	26 January 2019 full implementation. 26 January 2016 for records	Farms have a further 2 years to comply with certain water related

		supporting eligibility for qualified exemption	requirements; activities involving sprouts have earlier compliance dates.
Foreign Verification Supplier Program (FVSP)	SB N/A VSB < $1 M annual sales	30 May 2017 (human food) September 2017 (animal food)	No modified compliance dates for importers who are small or very small businesses.
Third Party Certification and Accreditation	N/A	N/A	N/A
Sanitary Transportation	SB <500 FTE employees, or for certain carriers <$27,500,000 in annual receipts VSB N/A	6 April 2018	
Intentional Adulteration (Food Defense)	SB <500 FTE employees VSB < $10 M in sales + market value of food manufactured/processed/ packed/held without sale	26 July 2020 26 July 2021	Modified requirements apply to VSBs. Documentation showing a facility continues to meet the definition must be kept.

Contact for further information

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