



# Alert

Food and Beverage Law Team

To: Our Clients and Friends

January 11, 2013

## FDA Extends Registration Renewal Deadline for Food Facilities

Food facilities that are subject to new registration renewal requirements under the Food Safety Modernization Act (FSMA) now have until January 31, 2013 to submit their registration renewal.

Section 415 of the Federal Food, Drug, and Cosmetic Act (FD&C Act) requires all domestic and foreign facilities that manufacture, process, pack, or hold food for human or animal consumption in the United States to register with the FDA. (For purposes of section 415, the term “facility” excludes farms, restaurants, and retail food establishments.) The FSMA, enacted January 4, 2011, amended the FD&C Act to add a new requirement that any registered food facility must renew its registration every other year between October 1 and December 31. Registered food facilities without information changes during the applicable two-year registration period may take advantage of abbreviated renewal procedures.

Due to a delay in FDA’s implementation of the registration renewal process that prohibited many food facilities from meeting the December 31 deadline for the 2012 cycle, the FDA recently issued guidance indicating that it will exercise “enforcement discretion” with respect to any registration renewals submitted to FDA before January 31, 2013. Food facilities that are subject to the new registration renewal requirements should ensure that their registration renewals are filed with FDA before that date.

If you are interested in learning more about the FSMA or need assistance with the food facility registration process, contact your primary Bryan Cave LLP lawyer or one of the following attorneys:

Brandon W. Neuschafer  
(314) 259-2317  
[bwneuschafer@bryancave.com](mailto:bwneuschafer@bryancave.com)

Susan E. Brice  
(312) 602-5124  
[susan.brice@bryancave.com](mailto:susan.brice@bryancave.com)

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