

# Client Alert

International Trade & Litigation and FDA & Life Sciences Practice Groups

April 10, 2014

## **U.S. Customs And Border Protection Announces Three New Members Of Commercial Targeting And Analysis Center**

*Participating agencies jointly target commercial imports that threaten health and safety*

U.S. Customs and Border Protection (CBP) announced last week that three additional Federal agencies have formally joined the Commercial Targeting and Analysis Center (CTAC). CTAC is designed to enhance the Federal government's ability to target commercial imports that pose threats to the health and safety of the American public and to address other border management goals. A key means of effectuating CTAC's goals is that personnel from all participating agencies work together at one location in Washington and also collaborate at ports around the country.

CBP explained that the U.S. Food and Drug Administration (FDA), the U.S. Fish and Wildlife Service (FWS), and the National Marine Fisheries Service (NMFS) formally joined CTAC. FDA, FWS, and NMFS will partner with eight other Federal agencies in CTAC, including CBP, the Animal and Plant Health Inspection Service, the U.S. Consumer Product Safety Commission, the U.S. Environmental Protection Agency, the Food Safety Inspection Service, U.S. Immigration and Customs Enforcement, the Pipeline and Hazardous Materials Safety Administration, and the National Oceanic and Atmospheric Administration's Office of Law Enforcement.

FDA's involvement with CTAC actually began in late 2009, when CTAC was created upon the recommendation of the Obama Administration's Food Safety Working Group, which advises the President on modifications to the U.S. food safety system in the 21<sup>st</sup> century.

FDA's involvement in CTAC has addressed multiple cases including products in the animal feed and animal drug program, biologics and vaccines, medical devices, and pharmaceuticals.

One example of FDA's previous participation in CTAC involved lasers regulated by FDA under the devices program. Through CTAC, FDA's Center for Devices and Radiological Health collaborated with CBP to stop the importation of so-called "Wicked Lasers," which FDA described as dangerously high-powered laser products that were marketed to U.S.

For more information, contact:

**J. Michael Taylor**

+1 202 626 2385  
jmtaylor@kslaw.com

**Christina M. Markus**

+1 202 626 2926  
cmarkus@kslaw.com

**Patrick J. Togni**

+1 202 626 2958  
ptogni@kslaw.com

**King & Spalding**  
*Washington, D.C.*

1700 Pennsylvania Avenue, NW  
Washington, D.C. 20006-4707  
Tel: +1 202 737 0500  
Fax: +1 202 626 3737

[www.kslaw.com](http://www.kslaw.com)

consumers through the Internet. These products were subjected to detention without physical examination and FDA issued a warning to consumers not to use the products. Thus, FDA's recent agreement to formally join CTAC was preceded by several years of direct involvement in the program with other participating Federal agencies performing surveillance and risk analysis of imported products.

The latest CTAC expansion should increase collaboration among Federal agencies seeking to protect the American public from unsafe imports across a wide spectrum of commercial products. As a result of this latest round of expansion, CTAC will likely pursue surveillance and enforcement activities regarding food and other FDA-regulated products, as well as conservation of species and marine resources and habitat.

\* \* \*

*Celebrating more than 125 years of service, King & Spalding is an international law firm that represents a broad array of clients, including half of the Fortune Global 100, with 800 lawyers in 17 offices in the United States, Europe, the Middle East and Asia. The firm has handled matters in over 160 countries on six continents and is consistently recognized for the results it obtains, uncompromising commitment to quality and dedication to understanding the business and culture of its clients. More information is available at [www.kslaw.com](http://www.kslaw.com).*

*This alert provides a general summary of recent legal developments. It is not intended to be and should not be relied upon as legal advice. In some jurisdictions, this may be considered "Attorney Advertising."*