

UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE
WASHINGTON, DC

FSIS DIRECTIVE	8010.3, Revision 2	6/25/08
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**PROCEDURES FOR EVIDENCE COLLECTION,
SAFEGUARDING AND DISPOSAL**

I. PURPOSE

This directive provides the methodologies that Food Safety and Inspection Service (FSIS), Office of Program Evaluation, Enforcement and Review (OPEER), Compliance and Investigations Division (CID) Investigators, Supervisory Investigators (SI), and Regional Managers (RM) and other authorized Agency personnel will apply when collecting, safeguarding, and disposing of evidence in the performance of surveillance, investigations, and other activities under the FMIA, PPIA, EPIA, and related laws and regulations.

Key Points Covered

- The different types of evidence.
- Procedures for safeguarding evidence.
- Methods for transferring and receiving evidence
- The retention and disposal methods for evidence.

II. CANCELLATIONS

FSIS Directive 8010.3, Revision 1, Procedures for Evidence Collection, Safeguarding, and Disposal, dated 9/4/07

III. REASON FOR REISSUANCE

FSIS is reissuing this directive in its entirety to incorporate instructions related to the In-Commerce Surveillance (ICS) system.

IV. REFERENCES

Federal Meat Inspection Act (FMIA)
Poultry Products Inspection Act (PPIA)

Egg Products Inspection Act (EPIA)
Humane Methods of Slaughter Act
The Agricultural Marketing Act of 1946, as amended
9 CFR Sections 320.4, 381.146, 381.178 and 590.200
21 U.S.C. 460, 642, 1034 and 1040
FSIS Directive 7355.1, Use of Sample Seals for Laboratory Samples and Other Applications
FSIS Directive 8410.1, Detention and Seizure
FSIS Directive 10,230.2, Procedures for Collecting and Submitting Domestic Samples for Microbiological Analysis

V. FSIS FORMS ASSOCIATED WITH THIS DIRECTIVE

A. The following FSIS Forms are located in the ICS system.

FSIS Form 8000-16 (Evidence Log) - provides a detailed accounting of all evidentiary items collected in an investigation and is used to monitor the control and accountability of these items.

FSIS Form 8000-17 (Evidence Receipt and Chain of Custody) - Section I identifies the evidentiary item(s) collected in an investigation and establishes the chain of custody for that evidence; Section II tracks the chain of custody to maintain control and accountability for the item(s); and Section III documents the final disposal action of the item(s).

B. The following FSIS forms are located at Public Folders\All Public Folders\Agency Issuances\Forms\FSIS 8,000 SERIES and <https://inside.fsis.usda.gov/fsis/emp/static/global/forms/forms.jsp>.

FSIS Form 8000-7B (Photographic Report) provides a detailed description of the subject of the photograph, the location where the photograph was taken, the date the photograph was taken, and the name of the photographer.

FSIS Form 8000-15 (Photographic Log) - Section I identifies the subject or location photographed; Section II identifies the type of media and a specific description of each photograph; and Section III provides for a reference sketch of the area/items photographed.

FSIS Form 8000-16 (Evidence Log) - provides a detailed accounting of all evidentiary items collected in an investigation and is used to monitor the control and accountability of these items.

FSIS Form 8000-17 (Evidence Receipt and Chain of Custody) - Section I identifies the evidentiary item(s) collected in an investigation and establishes the chain of custody for that evidence; Section II tracks the chain of custody to maintain control and accountability for the item(s); and Section III documents the final disposal action of the item(s).

FSIS Form 8050-2 (Shipper's or Receiver's Certification) – may be used when initial contact is made with the shipper or receiver of meat, poultry, or egg products that appear to be in violation of the Acts.

FSIS Form 8200-1 (Property Receipt) - is issued to the owner or custodian of records, documents, or other items of personal property when that property is collected as evidence.

FSIS Form 8200-2 (Evidence Tag) – may be placed on physical objects to which the Evidence Receipt and Chain of Custody form cannot be readily attached.

VI. BACKGROUND

OPEER/CID Investigators, RMs, and SIs have a responsibility to conduct surveillance, investigations, and other activities under the FMIA, PPIA, and EPIA. The collection and safeguarding of evidence is essential to support Agency decisions, investigative findings, and enforcement or other legal actions. Employees of other FSIS program areas (e.g., Office of International Affairs (OIA), Office of Field Operations (OFO)) may sometimes collect evidence while performing their official duties and should follow the methods to collect, safeguard, and maintain evidence set out in this directive.

Evidence includes documents, photographs, investigative samples, and other facts or records collected during surveillance, investigations, or other activities. The safeguarding of evidence includes the steps needed to establish legal integrity (i.e., identification, security, handling, and chain of custody) from the time of initial acquisition to final disposal. These steps prevent loss, unauthorized alteration, mishandling, or other actions that may affect the integrity of evidence. Chain of custody is the methodology used to maintain, track, and document control of all evidentiary items. Failure to safeguard evidence may affect the use of that evidence to support enforcement or legal actions. Evidence disposal addresses retention, disposal requirements, and procedures.

VII. EVIDENCE COLLECTION

Evidence may be used to support Agency decisions, to take enforcement actions, to support that a violation of law has occurred, to help obtain a ruling in a court of law, or for other purposes. When collecting evidence, treat every item of evidence in the manner described in this Directive. The proper treatment and the preservation of evidence in the condition in which it was collected require that all authorized persons handle evidentiary items with care. Establishing and maintaining a chain of custody for all evidence collected is of utmost importance to provide for accountability and for maintaining chain of custody at each stage of evidence collection, safeguarding, and disposal. The three general categories for evidence are:

A. Documentary Evidence (including statements)

Documents collected during surveillance, investigation, and other activities may be used to support Agency decisions, enforcement actions, and investigative findings or to support legal action in Federal, State, or local court. It is imperative that a Government witness (usually the person who collected the record) be able to testify as to where, when, and from whom the documents were

collected, and to the fact that the copy is a true copy of the source document, based on his/her review of the source document.

1. Examples of documentary evidence include:

- a. sales invoices (as a means of identifying the seller or buyer, the amount, type, price, or date of the sale, and purchase or receipt of the product);
- b. receiving and storage records (as a means of identifying dates relevant to product storage, product condition or temperature, or storage temperature);
- c. transportation records (as a means of identifying the transporter, the location the product was shipped from, and the location to which the product was shipped);
- d. rodent and pest control service records;
- e. contracts;
- f. production records;
- g. laboratory analysis records of product (analysis requested by a manufacturer, custodian, or owner);
- h. records or reports documented by Federal, State, or local authorities of non-compliance, violations, or other issues;
- i. statements (signed and unsigned);
- j. memoranda of interview (MOI); and
- k. diagrams, maps, charts, or graphs.

2. To collect documentary evidence:

- a. make an oral request to a responsible management official to examine records or documents;
- b. examine and determine the specific records to collect;
- c. obtain selected documentary evidence by:
 - i. requesting copies or the opportunity to make copies or
 - ii. photographing each individual record or document.

NOTE: If an original record, document, or item, such as personal property, is collected as evidence or to make a copy for evidence, initiate and issue a Property Receipt to the owner or custodian of the record, document or item.

d. If access to facilities or records, or a request for copies of specific records, is denied, explain that FSIS statutes at 21 U.S.C. 460, 642, 1034 and 1040 provide duly-authorized representatives of the Secretary with access to the place of business and an opportunity to examine the facilities, inventory, and records thereof, and to copy all such records. If necessary, contact, through supervisory channels, the Evaluation and Enforcement Division (EED), OPEER, to obtain an administrative subpoena to access the facility or to collect copies of records.

3. To identify documentary evidence:

a. initial and date the back of each document collected (e.g., CF mm/dd/yy), with the exception of official FSIS forms completed by the Investigator (e.g., Notice of Detention, Exhibit Cover Sheet), which are not to be initialed or dated;

NOTE: Original records and documents should be returned to the owner when possible; therefore, ensure that they are not initialed or altered in any way. The Property Receipt issued to the owner or custodian and the Evidence Receipt and Chain of Custody form will serve to identify these records.

b. sign and date each statement or MOI; and

c. complete Section I of an Evidence Receipt and Chain of Custody form in the ICS system, print a hard copy, and maintain it with the original evidence.

B. Photographic Evidence

1. Photographs are one of the most effective and useful forms of evidence. Photographs provide visual evidence to establish violative conditions or products, insanitary conditions or practices likely to render products injurious or otherwise violative, or other observations. Photographs provide a means to visually bring the facility or location to the decision maker to support agency decisions, enforcement actions, and investigative findings. Photographs also may be used to record business and other documents, when necessary or efficient, in lieu of collecting or reproducing copies.

Examples of conditions or practices effectively documented by photographs include:

a. Evidence of rodents, insect infestation, insanitary conditions, or facility construction or maintenance, which contributes to insanitary conditions;

b. Routes of, as well as, actual contamination of raw materials or finished products;

c. Condition of raw materials or finished products;

d. Product labels, other labeling, or invoices;

e. Insanitary conditions contributing to contamination or to violative condition of raw materials or finished products;

f. Employee practices contributing to contamination or to violative condition raw materials or finished products; and

g. Firm records including records showing errors, substitutions, penciled changes in procedure, faulty practices, deviations from HACCP, SSOP, or other protocols, altered or inadequate control procedures, or other derivations from stated procedure.

2. The FMIA, PPIA, and EPIA provide FSIS personnel authority to examine facilities, inventory, and records at Federal establishments and at warehouses, distribution centers, and other in-commerce facilities subject to the statutes (21 U.S.C. 460, 642, 1034, and 1040). These statutory provisions also provide FSIS personnel authority to copy certain business records. Investigators and other authorized program employees use photography, under these authorities, as a technique to examine facilities, inventory, and records, and to copy business records.

a. Take your camera into the firm and use it as necessary, just as you use other surveillance or investigative equipment. Do not request permission from management to take photographs during a surveillance review, an investigation, or other activities.

b. When a firm or firm official refuses to allow the Investigator to take photographs, the Investigator should explain the authority cited above, and that the camera is a tool used in the examination of facilities and inventories, and for copying business records. If access, examination, or evidence collection, including photographs, is denied, the Investigator should consult with their supervisor and follow the instructions in Directives 8010.2 and 8010.3 regarding administrative subpoenas. Investigators are not to surrender cameras, film, digital images, or photographs to the firm or firm officials. Advise the firm it can seek to obtain copies of the photographs under the Freedom of Information Act.

3. Investigators are to use FSIS-issued digital cameras, or, when necessary, film or other photographic media and collect photographic evidence, using the following procedures :

a. Photograph the scene in a logical sequence whenever possible. A logical sequence provides an overview of the entire area, a medium “eye view” angle, close-up, and extreme close-up images of the subject. Avoid deleting any images in the sequence, even if poorly exposed;

b. Photograph the entire scene in an UNDISTURBED state. Once this is accomplished, the investigation may continue;

c. Ensure conclusive photographic identification of the location, as appropriate, in both the exterior and interior sections of the facility (e.g. include

an identifiable landmark, such as a street sign, in a photograph of the exterior of the facility);

d. When it is important to depict scale of the subject of a photograph, use a ruler or similar item strategically placed in the close-up sequence of the subject;

4. To identify and organize photographic evidence:

a. Initiate and maintain a Photographic Log to identify the subject or location being photographed and include a description of each photograph

NOTE: One entry may be used when a series of photographs depict a situation or conditions (e.g., 00011—00020 show insanitary conditions in cooler B at XYZ company) if the descriptor is sufficient to understand what is being depicted;

b. When information relevant to photographs of a subject or location is initially captured in investigative notes, ensure that all pertinent information is transferred into Sections I and II of the Photographic Log;

c. Section III of the Photographic Log may include a sketch of the subject or location being photographed. A sketch is a rough approximation of the scene that places items and locations in perspective to each other to supplement photographs;

NOTE: Investigators, in consultation with supervisors, may determine that completing a Photographic Log is not necessary when, during surveillance, investigative, or other activities, a small number of photographs are taken (e.g., one to five) and documented in a Photographic Report (FSIS 8000-7B). In these cases the Photographic Report and Evidence Receipt and Chain of Custody form will serve to identify those photographs.

5. To establish and maintain security of digital photographs:

a. Create a master original copy of the digital photographs as soon as practical by transferring them to a once-writable CD (CD-R). Use a CD-R to ensure that the files cannot be modified and include the following information:

i. authenticate the master CD-R by using a compatible permanent marker that will not damage the CD; and

ii. include the investigation file number, firm name, date, description of the subject matter, and the photograph's initials.

b. Maintain the master CD-R under security as original evidence. Separate working copies should be made on a computer hard drive, a CD, or other storage media for examination, printing, or enhancement.

c. Complete Section I of an Evidence Receipt and Chain of Custody form in the ICS system, print a hard copy, and maintain it with the original master CD-R.

NOTE: When it is necessary to use film or other media to collect photographic evidence the Evidence Receipt and Chain of Custody form is used to establish identity and chain of custody.

C. Investigative Samples

Investigative sample collection is an important component of evidence collection. It includes the sampling inventory from persons or firms engaged in preparation or storage of meat, poultry, or egg products. It also includes collection and analysis of other materials, as necessary. The FMIA (21 U.S.C. 642) and PPIA (21 U.S.C. 460) provide authority that includes the sampling of inventory, upon payment of fair market value, from persons or firms engaged in the preparation or storage of meat and poultry. The EPIA contains similar authority (21 U.S.C. 1033 and 1034).

Investigative samples are collected to support Agency decisions, to take enforcement actions, to support that a violation of law has occurred, to help obtain a ruling in a court of law, or for other purposes. Samples are to be collected and submitted for laboratory analysis in a manner that safeguards the integrity of the evidentiary material, so that it is reliable as evidence.

1. Examples of items that may be collected for analysis are:

- a. raw, in-process, or finished meat, poultry, or egg products;
- b. ingredients used in raw, in-process, or finished meat, poultry, or egg products;
- c. product packaging;
- d. rodent excreta, insects, apparent nesting, or vermin-gnawed material; or
- e. any extraneous materials.

2. Sample Selection

a. During the development of an investigative plan, or otherwise as appropriate, contact the FSIS laboratory, as needed, to discuss methods and types of samples to be collected and specific capabilities to conduct desired analysis.

b. Samples collected for laboratory analysis are to be collected from the location where the violative condition of the product is known or suspected to exist. Select the portions that will demonstrate the violative nature of the product.

c. There may be times when additional sampling is necessary to gain information or otherwise protect public health. In these situations, obtain guidance from an appropriate source (e.g., Office of Public Health Science

(OPHS), Office of Policy, Program, and Employee Development (OPPED)) in regards to specific techniques and sampling plans.

3. Sample Types

a. Intact sampling

Obtain a sample of an unopened packaged product. Collect intact samples if possible; or

b. Non-intact sampling

At times, intact sampling may not be practical because of the volume of product involved or the product's unpackaged state. If intact sampling is not feasible, non-intact samples are to be collected from bulk.

NOTE: When collecting non-intact samples, if microbiological analysis will be requested, utilize aseptic techniques as outlined in FSIS Directive 10,230.2, "Procedures for Collecting and Submitting Domestic Samples for Microbiological Analysis."

4. To request laboratory analysis of investigative samples:

a. investigative samples are submitted on FSIS Form 10,000-2, *Domestic Laboratory Report*, or Form 10,600-1, *Domestic Chemical Lab Analysis*.

b. identify investigative samples as "STC-39" and provide the Region Code where the case file is documented:

Region Codes:

"W" Western

"SW" Southwest

"MW" Midwest

"SE" Southeast

"NE" Northeast

c. provide the producer's name, address, and establishment number;

d. provide a sample description, list of ingredients, and product codes (e.g., "sell by dates");

e. provide a name and address of the location where the sample was collected;

f. provide date, time, and quantity collected;

g. describe how the sample is identified and sealed (e.g., "collected by ____, on ____ (date), sealed with FSIS seal # ____");

h. provide the contact information for transmission of results to the appropriate RM; and

i. describe the analysis requested.

j. after the lab enters the results on the form, the form is scanned into a PDF and emailed to the Investigator and RM. The original form will reside at the lab pending notification of sample disposal from the RM. or designee

5. To establish sample identity:

a. photograph the product or other evidentiary material before and after sample collection;

b. obtain identifying information (e.g., invoices, labels, or other product identification); and

c. as appropriate, document a signed statement, MOI, or Shipper's or Receiver's Certification from witnesses with direct knowledge of the sample identity.

6. To maintain sample identity:

a. complete Section I of an Evidence Receipt and Chain of Custody form in the ICS system, include a description of the evidence, the sample serial number, print a hard copy, and place the associated bar-coded, pressure-sensitive sticker from FSIS Form 7355-2B, in the appropriate block;

b. complete the first entry in Section II to initiate chain of custody, maintain a copy of the Receipt with the associated case file, place the hard copy Receipt in the package with the investigative sample, seal the sample in accordance with FSIS Directive 7355.1, "Use of Sample Seals for Laboratory Samples and Other Applications", and transfer the evidentiary investigative sample to the laboratory, in accordance with the procedures set out in Section IX of this directive; ;

c. securely maintain all identifying information under separate Evidence Receipt and Chain of Custody form with the associated case file;

7. Final disposition and disposal of samples

Because of the possibility of litigation, FSIS laboratories hold a portion of all investigative samples until notified that the sample may be discarded. The RM or designee is to notify the appropriate laboratory when it is no longer necessary to hold a sample (based on consideration of the retention schedule in this directive). The notification to the laboratory needs to include the file number and associated sample serial numbers. The FSIS laboratory will dispose of the samples and complete Section III of the Evidence Receipt and Chain of Custody form in accordance with this directive. The FSIS laboratory will then forward the completed Evidence Receipt and Chain of Custody form to the RM who requested the disposal.

VIII. SAFEGUARDING EVIDENCE

Evidence is to have a documented and continuous chain of custody from the time of collection until the time it is admitted into court, or the case is resolved, and the evidence is no longer needed.

A. Evidence Security

1. Secure and maintain evidence in a controlled-access area (e.g., a locked room, a locked steel file cabinet, or other suitably-locked enclosure), accessible only to designated personnel.
2. Prepare an Evidence Log in electronic format for each case to maintain evidence inventories.
3. Generate a hard-copy of the Evidence Log to file with the evidence when the case is complete, or otherwise as necessary, to monitor the control and accountability of evidence for each case.
4. Keep the number of people involved in handling evidence to a minimum (e.g., persons associated with the investigation).

B. Chain of Custody

1. Ensure that the transfer of evidence from one person to another is documented in Section II of the Evidence Receipt and Chain of Custody form.
2. Ensure that evidence is always accompanied with its Evidence Receipt and Chain of Custody form to provide identification at all times.
3. Ensure that the Evidence Receipt and Chain of Custody form is filled out in a legible manner and with permanent ink.

IX. TRANSFERRING AND RECEIVING EVIDENCE

A. Transferring Evidence

1. To preserve the chain of custody when evidence is transferred in person, sign in Section II of the Evidence Receipt and Chain of Custody form as the person releasing the evidence and identify the purpose of the change in custody.
2. To preserve the chain of custody when evidence is transferred by FedEx or Registered Mail:
 - a. sign in Section II of the Evidence Receipt and Chain of Custody form as the person releasing the evidence and identify the purpose of the change in custody;

b. enclose the evidence and Evidence Receipt and Chain of Custody form in a suitable envelope or container marked to show that the contents is evidence, and that it is to be opened only by the identified recipient;

c. seal the envelope or container, place the word "Sealed" on the outside of the envelope or container, and initial and date the envelope or container;

d. prepare a transmittal letter or memorandum to include date, file number, description of the evidence, method of transportation, and tracking number;

e. e-mail or fax a copy of the transmittal letter or memorandum separately to the recipient to advise them of the transfer;

f. place the sealed envelope or container and transmittal letter in a larger envelope or container addressed to the recipient;

g. use FedEx to transfer evidence when possible and always request signature confirmation; and

h. if Registered Mail is used, always request a Return Receipt for signature confirmation.

B. Receiving Evidence

1. To preserve the chain of custody when evidence is received in person, sign in Section II of the Evidence Receipt and Chain of Custody form as the person receiving the evidence.

2. To preserve the chain of custody as the receiver when evidence is received by FedEx or Registered Mail:

a. sign in Section II of the Evidence Receipt and Chain of Custody form, as the person receiving the evidence;

b. provide a copy of the signed Evidence Receipt and Chain of Custody form to the transferee who relinquished the evidence to verify receipt;

c. write the word "Opened," with his/her initials and the date the envelope or container is opened on the inner envelope or container; and

d. maintain the original initialed envelope or container with the original evidence to provide proof of the chain of custody.

X. RETENTION AND DISPOSAL OF EVIDENCE

Retention schedules for evidence collected in the performance of surveillances, investigations, or other activities to support Agency decisions, enforcement actions, and investigative findings are as follows:

A. Evidence Retention

1. General correspondence and other records pertaining to surveillance activities or allegations that do not result in an investigation – destroy two (2) years after the end of the fiscal year in which the records were created.

2. Correspondence and other documents pertaining to product detentions that do not result in an investigation – destroy two (2) years after the end of the fiscal year in which the records were created.

3. Report of investigation (ROI) file retention schedules:

a. reports for cases that are prosecuted and result in a Conviction – destroy ten (10) years after the end of the fiscal year in which the case is closed;

b. reports for cases that result in an Administrative Order – destroy one (1) year after the end of the fiscal year in which the Order terminates;

c. reports of precedent-setting cases are to be maintained permanently. OPEER is to offer such reports to the National Archives and Records Administration ten (10) years after the end of the fiscal year in which the case is closed;

d. reports of cases that result in an Injunction – destroy 1 year after the end of the fiscal year in which the Decree terminates;

e. reports of cases that result in a Pretrial Diversion – destroy one (1) year after the end of the fiscal year in which the Agreement terminates;

f. reports of cases that result in a company placed on Recordkeeping Requirements – destroy one (1) year after the end of the fiscal year in which the termination notice is issued; and

g. reports of cases that are closed with a Notice of Warning (NOW), Letter of Information (LOI), or no action – destroy two (2) years after the end of the fiscal year in which the case was closed.

4. Investigative Sample Retention

a. investigative samples held at FSIS laboratories may be disposed of upon a determination that no action will be taken with regard to the sample.

b. investigative samples held at FSIS laboratories that support cases pending disposition may be disposed of subsequent to issuance of a closing action (e.g., NOW or LOI).

c. investigative samples held at FSIS laboratories that support cases pending litigation may be disposed of after receiving a final disposition in the case and all legal proceedings or appeals have been exhausted.

B. Evidence Disposal

1. Evidence is to be disposed of in the following manner:

a. all evidence and all copies of documentary evidence, except for personal property evidence for which a Property Receipt was issued, are to be destroyed by shredding or incineration; and

b. return personal property evidence for which a Property Receipt was issued to the property owner.

2. Document the disposal of all evidence in Section III of the Evidence Receipt and Chain of Custody form and provide it to the supervisory official for verification of disposal.

XI. OPEER PERSONNEL RESPONSIBILITIES

RMs, SIs, Investigators, and other designated program employees are to carry out the following responsibilities in accordance with the policies and procedures in this directive:

A. An Investigator is to:

1. Ensure the proper application of methods and procedures for collection and safeguarding of evidence in accordance with this directive during surveillance, investigative, or other activities to prevent evidence from loss, unauthorized alteration, mishandling, or other actions that may affect its integrity.

2. Initial and date the back of all evidentiary documents for evidence authentication, except original property, as previously defined in this directive.

3. Establish and maintain identity of investigative samples from the time of collection until receipt at the laboratory in accordance with this directive.

4. Upon collection of all evidentiary items, prepare an Evidence Receipt and Chain of Custody form in the ICS system to establish identification of the evidence, initiate the chain of custody, and provide for evidence authentication.

5. Complete a Property Receipt when personal property is collected as evidence and provide a copy of the owner or custodian of the property.

6. When the Evidence Receipt and Chain of Custody form cannot easily accompany or be attached to the evidentiary item, identify the item with an Evidence Tag.

7. Make copies of documentary evidence to be used in the investigative report.

8. Document transfers of evidence in Section II of the Evidence Receipt and Chain of Custody form to maintain the chain of custody.

9. Ensure that the methods and procedures set forth in this directive are followed during liaison activities with other Federal, State, and local law enforcement agencies in the collection, safeguarding and disposal of evidence, as applicable.

B. Evidence Officer (EO)

The EO is responsible for maintaining control and accountability of all evidentiary items for each assigned investigation. The EO will usually be the lead Investigator, but may be another Investigator, a Supervisory Investigator, the Regional Manager, or other program employee as designated by the RM. The EO is to:

1. Protect all incoming evidentiary items from loss, unauthorized alteration, mishandling, or other actions that may affect their integrity.
2. Generate as necessary, in the ICS system, a hard-copy of the Evidence Log for each assigned investigation.
3. Arrange for and document in Section II of the Evidence Receipt and Chain of Custody form the receiving of evidence and subsequent transfer, release, or return of evidence for laboratory analysis, investigative use, use in court, or as otherwise necessary.
4. Serve as liaison with other Federal, State, and local law enforcement agencies for transfers, releases, and returns of evidence for laboratory analysis, investigative use, or use in court.
5. Conduct periodic inventory of evidence for each assigned investigation to monitor control of and ensure accountability for that evidence.
6. Arrange for the proper disposal of evidence in accordance with the schedules for evidence retention in this directive.

C. A Regional Manager (RM) or designee is to:

1. Establish security for evidence (e.g., evidence room, locked cabinet), including limited access to secure areas.
2. Assign an EO for each investigation in the RM's area of responsibility.
3. Receive and provide FSIS laboratory analysis results to the lead Investigator, EO, or other program employee.

4. Conduct periodic reviews of evidence, evidence logs, and evidence receipts to monitor control of and accountability for evidence.

5. Ensure the timely and proper disposal of evidence in accordance with schedules and procedures in this directive, including notifying the appropriate laboratory when it is no longer necessary to hold investigative samples.

Direct all questions on this directive through supervisory channels.



Assistant Administrator
Office of Policy and Program Development