

REVISION 01 04/02/93

OPI: RP/CP

PLANNED COMPLIANCE PROGRAM

I. PURPOSE

This directive describes the Planned Compliance Program and identifies responsibilities to:

A. Prevent unsound meat or poultry products from entering human food channels.

B. Assure compliance with the Federal Meat Inspection Act and the Poultry Products Inspection Act, and

C. Obtain and maintain current data on persons or firms engaged as commercial handlers of meat and poultry products.

II. CANCELLATION

FSIS Directive 8100.1, dated 8/5/83.

III. REASON FOR REISSUANCE

This directive has been rewritten in its entirety to update instructions and organizational references.

IV. REFERENCES

Federal Meat Inspection Act
Poultry Products Inspection Act

V. ABBREVIATIONS AND FORMS

The following abbreviations appear throughout this directive:

FMIA Federal Meat Inspection Act
OIG Office of the Inspector General
PCP Planned Compliance Program
PPIA Poultry Products Inspection Act

FSIS Form 8000-8, Review and Compliance Record, dated 12/92
(formerly FSIS Form 8000-8, dated 4/92)

VI. POLICY

The PCP, a principal operating program of the Compliance Program, Regulatory Programs, monitors persons and firms dealing in all phases of the distribution chain of meat and poultry products, including handlers of

dead, dying, diseased, or disabled livestock or poultry.

VII. COMPONENTS OF THE PLANNED COMPLIANCE PROGRAM

The PCP consists of:

A. A computer database that contains pertinent information with respect to the person or firm assigned a risk category number (Paragraph IX. of this directive). The database is maintained in the Evaluation and Enforcement Division, Compliance Program.

B. Periodic reports, with respect to the person or firm, made by Compliance Program personnel. Reports are made on FSIS Form 8000-8 (see Attachment), and are submitted to and maintained in the Evaluation and Enforcement Division, Compliance Program.

C. A review scheduling system that controls the frequency of compliance reviews based on the Agency's record (in the computer database) of violations and/or concerns about a person or firm. Reviews are scheduled on the basis of the "risk category" number assigned to the person or firm.

VIII. FREQUENCY OF REVIEWS AND RISK CATEGORIES
UNDER THE PLANNED COMPLIANCE PROGRAM

A. Compliance reviews shall be made as indicated below for each category:

Categories

Risk category 1 - quarterly
Risk category 2 - semiannually
Risk category 3 - annually
Risk category 9 - indefinite

B. Deviation from frequency of compliance reviews. The Compliance Officer or the Officer in Charge may schedule more frequent reviews than are set forth above as deemed necessary to assure compliance.

IX. CRITERIA FOR ASSIGNMENT OF RISK CATEGORY NUMBERS

A. The general policy with respect to criteria is to assign a person or firm to the appropriate risk category, based on the specific criteria given below for each category:

1. RISK CATEGORY 1

a. Indications that the person or firm is presently violating provisions of the FMIA or PPIA; or

b. Indications that the person or firm is presently placing unsound meat, meat food products, poultry, or poultry products into human food channels (absolute proof is not necessary); or

c. The person or firm is engaged in an activity which particularly lends itself to the placing of unsound meat, meat food products, poultry, or poultry products into human food channels.

2. RISK CATEGORY 2

a. Violations(s) of the FMIA or PPIA by the person or firm within the past 12 months (as established by a submitted violation report or a completed OIG investigation report); or

b. Indications that the person or firm has placed unsound meat, meat food products, poultry, or poultry products into human food channels within the past 12 months (absolute proof is not necessary); or

c. The past operations of the person or firm demonstrate that they constitute a constant or intermittent risk in regard to either of the above conditions listed in Paragraph IX. A.2.a. and b.

3. RISK CATEGORY 3

a. Violation(s) of the FMIA or PPIA by the person or firm within the past 24 months (as established by a submitted violation report or a completed OIG investigation report); or

b. Indications that the person or firm has placed unsound meat, meat food products, poultry, or poultry products into human food channels within the past 24 months (absolute proof is not necessary).

4. RISK CATEGORY 9

a. Indications that the person or firm should be retired from active scheduling under the following circumstances:

(1) A permanent closing of business operations by the firm; or

(2) Death of the person; or

(3) A complete change in the person's or firm's business activities which precludes any handling of meat, meat food products, poultry, or poultry products; or

(4) Active scheduling is determined nonproductive by the Officer in Charge.

B. Deviation from criteria. The Compliance Officer may deviate from the criteria set forth in the risk categories whenever it is believed that such action is necessary. Such action shall be:

(1) Documented on FSIS Form 8000-8, giving the reasons for such deviation, and

(2) Approved by the Officer in Charge.

Margaret O'K. Glavin
Deputy Administrator
Regulatory Programs

Attachment

FSIS Form 8000-8, Review and Compliance Record
(SEE HARD COPY FSIS DIRECTIVE 8100.1, Rev. 1)