

**FSIS Manual
for
State Meat and Poultry Inspection
Program Reviews***

Food Safety and Inspection Service
United States Department of Agriculture
August 2007

*This manual does not address egg products, which are also regulated by USDA, FSIS. The Egg Product Inspection Act (EPIA) (21 U.S.C. 1031 - 1056) makes no provision for State inspections.

Table of Contents

Introduction.....	3
Purpose.....	3
Background.....	3
Manual Description.....	3
Annual Review Methodology.....	4
Determination Process.....	5
Reporting.....	5
Appeal Process.....	5
Annual Self-Assessment	6
Annual Certification.....	10
Component 1. Statutory Authority and Food Safety Regulations.....	11
Component 2. Inspection.....	13
Component 3. Product Sampling.....	15
Component 4. Staffing and Training.....	21
Component 5. Humane Handling.....	26
Component 6. Non-Food Safety Consumer Protection.....	28
Component 7. Compliance.....	30
Component 8. Civil Rights.....	33
Component 9. Financial Accountability.....	37
On-site Review.....	40
Appendices.....	43
Appendix A: Timeline for Self-Assessment Review.....	43
Appendix B: Timeline for On-site Review.....	44
Appendix C: Examples of Supporting Documentation for Components 1-7.....	45
Appendix D: Civil Rights Questionnaires.....	47
Appendix E: Table 1 List of Component 1 Federal Issuances.....	52
Appendix F: Tables for Components 2-7 Federal Issuances.....	54

Introduction

Purpose

The Food Safety and Inspection Service (FSIS) Manual for State Meat and Poultry Inspection Program Reviews provides the current FSIS approach for conducting review of State Meat and Poultry Inspection (MPI) Programs. This manual provides the methodology, criteria, and process used to determine if a State MPI Program can meet the mandated “at least equal to” standards on all nine review components and maintain that standard for the next 12 months. It provides instructions to State MPI Program personnel on how to conduct and submit a self-assessment as well as the State’s role and responsibility during the on-site review process.

Background

FSIS is the public health regulatory agency in the U.S. Department of Agriculture responsible for ensuring that the nation’s commercial supply of meat, poultry, and egg product is safe, wholesome, and properly marked, labeled, and packaged.

State MPI Programs operate under a cooperative agreement with FSIS. Under the agreement, a State's MPI Program must enforce requirements "at least equal to" those imposed under the Federal Meat Inspection Act (FMIA) and the Poultry Products Inspection Act (PPIA). The FMIA (21 U.S.C. 601 et seq.) and PPIA (21 U.S.C. 451 et seq.) provide that it is essential in the public interest that the health and welfare of consumers be protected by assuring that meat and poultry products distributed to them are wholesome, not adulterated, and properly marked, labeled, and packaged. The State MPI Program also must enforce requirements “at least equal to” those imposed under the Humane Methods of Slaughter Act of 1978 (HMSA). The HMSA (7 U.S.C. 1901 et seq.) is the law that governs the humane treatment of animals at official establishments by preventing needless suffering of animals, producing safer and better working conditions, bringing about improvement of products and economies, and producing other benefits for producers, processors and consumers. Cooperative agreements and annual certifications of State MPI Programs are contingent upon FSIS determining that each State MPI Program is enforcing requirements “at least equal to” those imposed under the FMIA, PPIA, and HMSA.

Manual Description

This manual describes both the (1) Annual Self-Assessment: Submission, Review, and Determination, and (2) On-site: Review and Determination.

The first part of this manual addresses the self-assessment submission, review, and determination process: provides an overview; followed by instructions to State MPI programs for completing self-assessments. The self-assessment is the State’s annual submission of supporting documentation that contains the rationale and evidence to demonstrate it is “at least equal to” Federal requirements and can maintain its program by some type of management control system. The management control system is a process that the State MPI Programs will use to provide continual assurance that it’s State MPI Program is “at least equal to” Federal requirements.

The second part of the manual provides an overview of the on-site review. An on-site review is how FSIS verifies the self-assessment of the State MPI Program. It consists of reviewing the self-assessment documentation prior to going on-site and FSIS direct observation to determine if the State MPI Program is “at least equal to” Federal requirements.

Each part of the manual consists of the same review components with the exception of Component 1, which is fully addressed in Part One, self-assessment. These nine components contain the criteria that State MPI Programs and FSIS use to evaluate if a program meets “at least equal to” Federal standards.

1. Statutory Authority and Food Safety Regulations
2. Inspection
3. Product Sampling
4. Staffing and Training
5. Humane Handling
6. Non-Food Safety Consumer Protection
7. Compliance
8. Civil Rights
9. Financial Accountability

FSIS will provide each State MPI Program a copy of the updated manual by August 1 of each year for guidance in completing the required annual self-assessment, understanding the current on-site review policy and procedures, and understanding determination procedures.

FSIS will provide written notification to the State MPI Program shortly after each determination.

Annual Review Methodology

Each year, FSIS completes a review of the State MPI Program self-assessment submission and makes a determination based on the “at least equal to” standard. In addition, State MPI Programs will be subject to an on-site review at a minimum frequency of once every three years. In the year when the State MPI Program is also scheduled for an FSIS on-site review, the yearly determination will be based on both the on-site review and the self assessment. The on-site review consists of FSIS’ review team conducting an on-site review of the State MPI Program, including a verification of the accuracy and implementation of the State MPI Program’s self-assessment submissions. See Appendices A and B for timelines of the self- assessment and on-site review, respectively.

The FSIS review team for both the self-assessment and on-site review is multi-disciplinary and includes subject matter experts in meat and poultry inspection systems, compliance programs, staffing, civil rights, and financial accountability. A team member may serve as a reviewer of more than one component. The Review Team Leader is the FSIS contact with the State Director. The Review Team Leader also coordinates the team’s activities, leads the analysis, and completes the *Annual Review and Determination Report*.

Determination Process

When FSIS finishes its analysis of the self-assessment and on-site review, when applicable, (including all findings and corrective actions) a determination is made. The possible determinations are (1) “at least equal to” (2) “not at least equal to” or (3) “deferred.”

If the determination of the self-assessment and/or the on-site review is “at least equal to,” the State MPI Program official will promptly be notified in writing of the status. If FSIS needs additional clarification during the review to reach a determination, the State MPI Program official will be asked to provide supplemental information. In the event a corrective action plan can not be immediately implemented, but the State is committed to making the corrections and have the resources to support the changes, then FSIS will recommend a deferral of designation instead of a “not at least equal to” determination.

When the analysis of all findings, clarifications, and corrective actions from the self-assessment or the on-site review concludes that a State MPI Program can not support “at least equal to” determination, FSIS will make a recommendation to the Secretary of Agriculture (or designee) that the State MPI Program should be designated¹.

Reporting

State MPI Programs will receive draft finding reports during the on-site review that accurately describes the observed conditions (nature, extent and degree) in the establishment. A summary draft of the system findings will be discussed during the program exit meeting. The summary report of the system findings will provide a complete picture of the food safety system operated by the State MPI Program. When FSIS makes a determination on the self-assessment and/or the on-site review, a State MPI Program official will be notified in writing. There also will be an individual end-of- year report sent to each State MPI Program that summarizes findings of its program. And there will be an overall end-of-year summary report that encompasses all State MPI Programs. The individual State reports and summary report will be posted on the FSIS Web site.

Appeal Process

State officials have the right to appeal any FSIS determination. Such appeals should be sent in a timely manner to the Branch Chief of the Federal/State Audit Branch (FSAB). Then, if follow-up is needed, the Director of the Internal Control Staff, and finally the Deputy Assistant Administrator for the Office of Program Evaluation, Enforcement and Review (OPEER) may become involved in the appeals process.

¹ If the State MPI Program is unable or unwilling to continue on an “at least equal to” basis, the Secretary of Agriculture will notify the Governor of the State that the State does not have an “at least equal to” meat or poultry inspection Program. (Before the Secretary takes such actions, FSIS and the State agency will have conferred and have tried to remedy the deficiencies in the State inspection Program). Further, the Secretary will designate the State as not having an “at least equal to” Program by publishing this designation in the *Federal Register* and, after the expiration of thirty days of such publication, the official State establishments will be subject to Federal inspection.

Annual Self-Assessment

Introduction

Each year, State MPI Programs must submit evidence of “at least equal to” program design and implementation for each of the nine components (See Appendix A). The self-assessment submission needs to include sufficient supporting documentation covering regulations and policies as well as implementation to provide a basis for FSIS to make an annual determination of “at least equal to” and how the State MPI Program will be maintained throughout the next 12 months.

State Responsibilities

The State MPI Program will start with the review of their FY 2006 self-assessment which serves as a baseline for future reviews. Each State MPI Program will reassess its program and provide information (e.g., written narrative and completed documents) that its State MPI Program is continually meeting those baseline criteria and that the self-assessment has been updated to reflect any new FSIS policies and directives or changes in the State MPI Program. The updates will include a narrative that describes any changes in the State MPI Program for the past 12 months and will contain Appendices E and F which are lists of all applicable regulations, directives, and notices. Note: The State MPI Program reassessment is a continual process based on any new FSIS issuances or changes that the State MPI Programs incorporate throughout the year.

When a State MPI Program submits a self-assessment, it also must indicate in the documentation any instances where the “at least equal to” Federal requirements is indicated, but are not identical to the FSIS procedure. In these situations the State MPI Programs should describe what their analogous system is, what the instructions are and how they deliver those instructions to their field personnel. FSIS requires State MPI Programs to stay abreast of FSIS regulations, applicable FSIS directives, notices, and policies and implement necessary measures to maintain “at least equal to” status.

The State MPI Programs are expected to have systems and processes in place to verify that the implementation of the “at least equal to” criteria is being achieved and consistently and effectively delivered. At a minimum, the State MPI Program will review and document the implementation and effectiveness of the “at least equal to” criteria as stated in components 1 – 9 referenced in the *FSIS Manual for State Meat and Poultry Inspection Program Reviews*. The self-assessments should have a narrative that describes the mechanisms that the State MPI Programs use to provide assurance and measure effectiveness of “at least equal to” and how the State MPI Program will be maintained throughout the next 12 months. These mechanisms should provide an objective assessment of the operations and State MPI Program processes to determine whether financial and operating information is accurate and reliable; operational risks are appropriately identified and managed; applicable regulations and acceptable internal policies and procedures are followed; and the “at least equal to” Federal standards are met.

Annually, the State MPI Program will report on each of the nine components to provide assurance that programs are implemented as intended and are effective in meeting the “at least equal to” Federal standards. The self-assessment submissions should include the results of the State MPI Programs internal evaluations or management control reviews.

State MPI Programs submit their completed annual self-assessments to FSIS by November 15.

FSIS Responsibilities

The self-assessment review consists of FSIS making an annual determination that examines all the evidence the State has submitted describing how it will maintain its State MPI Program at an “at least equal to” standard for the next 12 months. The determination is based on a thorough review of how the State MPI Program meets all nine components along with supporting documentation. FSIS will request clarifying information from the State MPI Program if questions arise during the FSIS review of the self-assessment. The Branch Chief of the FSAB or designee will contact each State MPI Program official during and at the conclusion of the FSIS review to clarify issues and discuss the self-assessment determination.

FSIS will make a determination on the self-assessment submission prior to the beginning of the on-site review. Generally, if a State is not named in the initial list of those subject to an on-site review, the self-assessment determination will be the *only* determination received for a given year.

Instructions for Annual State Self-Assessment

Each State MPI Program Director is required to comply with the following:

(1) Complete the self-assessment requirements for each of the nine review components listed below to demonstrate how the State's MPI Program constitutes an inspection program "at least equal to" the Federal requirements and how it intends to maintain this status for the following 12 months. Criteria for each component are described in the following nine sections:

1. Statutory Authority and Food Safety Regulations
2. Inspection
3. Product Sampling
4. Staffing and Training
5. Humane Handling
6. Non-Food Safety Consumer Protection
7. Compliance
8. Civil Rights
9. Financial Accountability

For each of the first seven (1-7) components, sufficient supporting documents should accompany the self-assessment submission. This includes a narrative that describes any changes in the State MPI Program for the past 12 months and the completed Appendices E and F which are lists of all applicable regulations, directives, and notices. Note: Reassessment of a program is a continual process based on any new FSIS issuances or changes in the State MPI Program. The State MPI Program must submit all nine components of the self-assessment and supporting documentation for components one through seven annually.

For Component 8, FSIS form 1520-1, *Civil Rights Compliance of State-Inspection Programs*, must be completed: attachment is included in the manual.

For Component 9, if the State is up-to-date in financial reporting activities required throughout the fiscal year, no additional documentation is required for the self-assessment. The supporting documents listed in Component 9 are items that State agencies should have readily available should FSIS reviewers wish to inspect them during the on-site financial review. **DO NOT RESUBMIT DOCUMENTATION ALREADY SUBMITTED.**

(2) Transmit all self-assessment documents for:

Components 1–7 to:

FSIS Office of Program Evaluation, Enforcement and Review
Federal State Audit Branch
1299 Farnam Street
Suite 300 Landmark Center
Omaha, NE 68102
e-mail: ron.eckel@fsis.usda.gov
Telephone: 402-344-5018
Fax: 402-344-5104

Component 8 to:

FSIS Civil Rights Division
5601 Sunnyside Avenue, Mail Drop 5261
Beltsville, MD 20705-5261
E-mail: samora.bennerman@fsis.usda.gov
Telephone: 301-504-2145
Fax: 301-504-2141

Component 9 to:

FSIS Financial Management Division
Financial Review and Analysis Branch
5601 Sunnyside Avenue, Mail Drop 5262
Beltsville, MD 20705
E-mail: kevin.tarver@fsis.usda.gov
Telephone: 301-504-5759
Fax: 301-504-5909

Annual Certification
“At Least Equal To” Meat and Poultry Inspection Program

I have reviewed the attached self-assessment submission of the [*insert name of State*] State-Federal Cooperative Inspection Program. Based on current information, I certify the State Meat and Poultry Inspection Program is “at least equal to” the requirements specified in the Federal Meat Inspection Act (FMIA), the Federal Poultry Products Inspection Act (PPIA), and the Humane Methods of Slaughter Act (HMSA). The State plans to maintain “at least equal to” the requirements specified in the FMIA, PPIA and HMSA. State MPI Programs certify their ability to stay current with FSIS regulations, directives, notices and policies to ensure an “at least equal to” status. If conditions change that impact this certification, I will immediately notify the Chief of the Federal/State Audit Branch.

Name of Responsible State Official _____

Title of Responsible State Official _____

Signature of Responsible State Official _____

Date _____

State _____

Contact Telephone Number _____

Contact E-Mail _____

Contact Fax Number _____

Component 1. Statutory Authority and Food Safety Regulations

Criteria for “at least equal to” determination

The State MPI Program must operate under state laws and regulations that grant legal authority “at least equal to” consistent with and designated by the FMIA², PPIA³ and HMSA⁴. The FMIA and PPIA impose mandatory ante-mortem and post-mortem inspection, re-inspection, sanitation requirements, recordkeeping requirements, and enforcement provisions. The HMSA imposes mandatory guidelines for the humane treatment of animals. This means the State has taken one of the following actions:

- Adopted by reference the FMIA, the PPIA, the HMSA and implementing regulations; or
- Explained how the State’s laws and regulations provide a level of protection that is “at least equal to” that imposed by FMIA, PPIA, HMSA and implementing regulations.

FSIS will allow time for the State’s rulemaking process when necessary, because there are occurrences where legislative sessions do not meet yearly. The State MPI Program must ensure that there are measures in place to verify compliance and take enforcement actions for non-compliant findings until the final rulemaking process has been completed.

The State MPI Program also must have the authority to expedite the rulemaking process “at least equal to” provided in the Administrative Procedures Act, 5 U.S.C. §553 in the event of an emergency.

² The Federal Meat Inspection Act (21 U.S.C 601, et seq.). It is the law that governs the slaughtering of livestock and the processing and distribution of meat products in the United States. Passed by Congress in March 1907, the FMIA authorizes the Secretary of Agriculture to make rules and regulations setting national standards for meat inspection. The FMIA was amended in the Wholesome Meat Act of 1967. The amended law grants the Secretary of Agriculture the authority to authorize each State to develop its own meat inspection Program if their requirements are “at least equal to” federal requirements. The amended FMIA was to assure uniformity in regulation of products shipped interstate, intrastate, and in foreign commerce.

³ The Poultry Products Inspection Act (21 U.S.C. 451, et seq.). It is the law that governs the slaughtering, processing, and distribution of poultry products in the United States. Passed by Congress in August 1957, the PPIA authorizes the Secretary of Agriculture to make rules and regulations setting national standards for poultry inspection. The PPIA was amended in the Wholesome Poultry Products Act of 1968. The amended law grants the Secretary of Agriculture the authority to authorize each State to develop its own poultry inspection Program if their requirements are “at least equal to” federal requirements. The amended PPIA was to assure uniformity in regulation of products shipped interstate, intrastate, and in foreign commerce.

⁴ The Humane Methods of Slaughter Act (7 U.S.C. 1901 et seq.). It is the law that governs the humane treatment of animals at official establishments. Passed by Congress in 1978, the HMSA authorizes the Secretary of Agriculture to make rules and regulations setting national standards for livestock inspection. The HMSA prevents needless suffering of animals, produces safer and better working conditions, brings about improvement of products and economies, and produces other benefits for producers, processors and consumers. Nothing in the HMSA shall be construed to prohibit, abridge, or in any other way hinder the religious freedom of any person or group.

The State MPI Program must have regulations in place to ensure that establishments maintain a sanitary condition and operate under sanitation standard operating procedures (SSOPs), and have a Hazard Analysis Critical Control Point (HACCP) plans or an equivalent system in place that evaluates hazards, takes steps to control hazards, and routinely verifies that product is safe, wholesome, and unadulterated. The State regulations also must address, in “at least equal to” manner, ante-mortem and post-mortem inspection, re-inspection, sanitation requirements, recordkeeping requirements, and compliance provisions to ensure that product is wholesome and not adulterated. In addition, State regulations must address the humane treatment of animals at official establishments.

Outcome

The outcome is a set of laws and implementing regulations which, when objectively evaluated, is determined to be are “at least equal to” the Federal laws and regulations.

Instructions

State MPI Program officials are expected to stay current with, have current knowledge of and have the ability to explain applicable FSIS regulations, FSIS Directives, Notices and policies. Officials also must have the ability to provide the rationale for their “at least equal to” determination and describe how the State MPI Program stays current with FSIS regulations, FSIS Directives, Notices and policies. The explanation(s) must include a narrative that describes any changes in the State MPI Program over the past 12 months and the completed Appendix E, *List of Component 1 Issuances (Federal Statutory Authority and Regulations)*. The narrative must also include a description of the techniques and medium used to convey existing and new information to State MPI Program personnel.

Component 2. Inspection

Criteria for “at least equal to” determination

Inspection provided under the State MPI Program must be “at least equal to” that provided under the Federal system. The State MPI Program must verify that official State establishments are complying with applicable regulations and have the capability to identify and correct any deviations from regulatory requirements. State MPI Program officials must verify that establishments develop, implement, and maintain SSOPs, as well as comply with sanitation performance standards. State MPI Program officials also must verify a HACCP or equivalent system that evaluates hazards, takes steps to address hazards, and routinely verifies that product is safe, wholesome, unadulterated, and properly labeled.

The State MPI Program must at a minimum:

- Describe how inspection is assigned and performed. Describe how controls are implemented and supervisory oversight provides direction to in-plant inspectors on how they are to protect public health by properly verifying establishment compliance with State regulations. For this requirement, the supporting documentation must show that inspectors perform ongoing verification procedures, recognize and document establishment noncompliance, and initiate appropriate regulatory actions when needed.
- Have developed a system to review and analyze all food safety and non-food safety activities conducted by the establishments. Examples of food safety activities includes the design and validity of the establishments’ hazard analyses, HACCP plans, SSOPs, pre-requisite programs, testing programs and any other programs that constitute the establishments’ HACCP systems. Examples of non-food safety activities include the formulation of products, labeling requirements, and humane handling.
- Develop a system to carry out administrative actions when establishments are not meeting the provisions of “at least equal to” the FMIA, PPIA and HMSA.
- Have provisions for immediate administrative enforcement actions when public health safety is imminently threatened.
- Have a reporting system in place that documents facts for all administrative actions and ensures that all administrative actions are fully supported and based on relevant facts and legal authority and properly maintains documents produced related to various administrative actions.

FSIS develops, maintains, and coordinates all FSIS activities to prevent, prepare for, respond to, and recover from emergencies resulting from non-intentional contamination or deliberate acts of terrorism affecting meat, poultry, and egg products. The eight FSIS directives that provide information about homeland security are found at:

http://www.fsis.usda.gov/Food_Defense_&_Emergency_Response/index.asp.

Outcome

The outcome is an inspection system which, when objectively evaluated, is determined to be “at least equal to” that of the Federal system that ensures safe, wholesome, unadulterated, and properly labeled meat and poultry products.

Instructions

State MPI Program officials are expected to stay current with, have current knowledge of and have the ability to explain applicable FSIS regulations, FSIS Directives, Notices and policies. Officials also must have the ability to provide the rationale for their “at least equal to” determination and describe how the State MPI Program stays current with FSIS regulations, FSIS Directives, Notices and policies. The explanation(s) must include a narrative that describes any changes in the State MPI Program over the past 12 months and the completed Appendix F, which lists all applicable regulations, directives, and notices. The narrative must also include a description of the techniques and medium used to convey existing and new information to State MPI Program personnel.

The State MPI Programs should implement a control system to evaluate and document the effectiveness of its programs. State MPI officials must provide a narrative that explains how the MPI Program meets the “at least equal to” criteria and achieves the outcome. The outcome must be supported by completed examples of documentation verifying program compliance (e.g., program records, such as management reports and/or reports that demonstrate that the State MPI Program is achieving proper documentation, tracking, and resolution of non-compliance findings). These examples also should include documentation to demonstrate that supervisory oversight is being applied and that the supervisory process assures that State MPI Program personnel are adequately carrying out the State MPI Program’s inspection responsibilities.

Submit supporting documentation to show evidence that the State MPI Program, described in the narrative, has been implemented, is functioning as intended and controls exist to ensure efforts to maintain the State MPI Program over the next 12 months are in place. Examples of supporting documentation are provided in Appendix C.

Component 3. Product Sampling

Criteria for “at least equal to” determination

State MPI Programs must have a verification testing program, with laboratory capacity, to address adulterants and other measures of properly operating food safety systems for meat and poultry products. This verification testing program must define, at a minimum:

- Selection criteria for targeting products and processes, including detailed sampling plans for raw products and for ready-to-eat product as specified below under mandatory analyses. The plan(s) needs to include the thought process used in determining the scope of sampling including frequency of scheduled samples on an average basis per year across all applicable establishments (see Table on Microbiological testing –August 2007 to September 2008– *Guidance to States on frequency of testing*).
- Means for tracking variables affecting the effectiveness of the program (e.g., expected response rate related to the number of samples requested and the number of viable samples analyzed).
- Plans of Action in response to positive results, including actions taken by the State MPI Program to prevent adulterated/contaminated product from entering commerce and recall of product (See Component 7).

Mandatory analyses include, at a minimum, the following for the given product classes and types produced in the State MPI Program:

(1) Raw product

- Adulterant
 - *E. coli* O157:H7 in beef
 - violative drug residue – Swab Test on Premises (STOP)/ Fast Antimicrobial Screen Test (FAST) screening methodology⁵
- Measure of properly operating food safety system
 - *Salmonella* in meat and poultry classes and products

(2) Ready-to-eat product

- Adulterant
 - *Salmonella* in meat, poultry, and processed egg products
 - *Listeria monocytogenes* in meat and poultry

In addition to the mandatory analyses, the State MPI Program must have the capacity⁶ to conduct the following analyses for the given product classes and types produced in the State inspection system, on a case-by-case basis and by a competent authority under contract or agreement with the State MPI Program:

⁵ FSIS will continue to conduct confirmatory testing for STOP/FAST screen-positives as resources permit.

⁶ It is not expected that the State Program have a special laboratory for atypical analyses, but rather than the State Program be able to procure atypical analyses when needed.

(1) Raw and ready-to-eat product

- Adulterant⁷
 - unexpected biological, chemical, or physical hazards sufficient to cause illness (e.g., allergens, species)
- Misbranding⁸
 - significant nutrition labeling deviations
 - central nervous system type tissue in boneless meat derived from advanced meat recovery systems

(2) Ready-to-eat product

- Adulterant/indicator of contamination potential
 - *Listeria monocytogenes* as an adulterant on food contact surfaces, and as a potential for contaminating product from the environment associated with meat and poultry

Laboratories conducting official analyses for State MPI Programs need not be accredited laboratories under 9 CFR 318.21 and 381.153, but are expected to operate in accord with those requirements. Laboratories conducting analyses for State MPI Programs should have procedures to ensure that samples are not compromised within the laboratory, including a documented chain of custody, and be able to defend the quality of their analyses in a court of law (e.g., be able to take enforcement action based on the test results). Provide an explanation of how the measures above will be met.

The table on the next page and following principles are provided as guidance in choosing testing frequency:

1. Obtain at least some type of microbiological test result on a pathogen of public health concern from each establishment annually.
2. Compare aggregate percent positive rate of all establishments for a particular pathogen of public health concern over time (e.g., from one quarter to next, one year to next) to assess changes in establishment control.
3. If the percent positive rate changes significantly in an adverse direction, target efforts at finding the cause either through increased testing, food safety assessments, or other verification activities.

⁷ FSIS will continue to conduct testing for unexpected hazards and misbranding as resources permit.

⁸ Ibid.

Table on Microbiological Testing during – August 07 to September 08 – Guidance to States on Frequency of Testing based on CY 06 FSIS Data*

Microbiological Testing Program	Number of Very Small Establishments Tested in Federal System	Average Number of Annual Tests Per Very Small Establishment	% Positive Rate Target for all Very Small Establishments (updated Quarterly and Annually)
<i>E. coli</i> O157:H7 in raw beef	929	6	≤ 0.20
<i>E. coli</i> O157:H7 in RTE beef (fully cooked beef patties)	106	2	≤ 0.02
<i>Listeria monocytogenes</i> in RTE products – ALLRTE (random, not due to risk)	873	1	≤ 0.75
<i>Listeria monocytogenes</i> in RTE products – Risk (9 CFR 430 Specific)	3	1 unit/plant/each 4 years (3 product; 10 food contact surface swabs; 5 environmental swabs)	≤ 0.75
<i>Salmonella</i> in raw classes of products	473	1 set**	90% of establishments at or below 50% of standard/guideline by year 2010
<i>Salmonella</i> in RTE products	873	2	≤ 0.02
<i>Salmonella</i> in processed egg products	10	15	≤ 0.20

*To be updated annually by FSIS

**Sample set size can be any size (n) contained in “Bacon” memo, without further explanation as to why a smaller sample size is used compared to that in the Federal inspection system; for raw ground beef samples, samples selected for *E. coli* O157:H7 testing also can be assessed for *Salmonella* without further rationale.

Outcome

When objectively evaluated, is determined to be “at least equal to” that of the Federal system.

- (1) Pathogenic bacteria and violative residues in products are prevented from reaching the public through reliable, timely laboratory analyses of samples.
- (2) Laboratory services are qualified to accurately find and identify organisms, substances, and other conditions of regulatory and public health concern.
- (3) The quality of laboratory analysis is known and defensible analysis in a court of law.

Examples of verification of State MPI Program compliance are records that demonstrate that the State MPI Program is achieving product sampling requirements (e.g., sampling protocol for each adulterant).

Instructions

State MPI Program officials are expected to stay current with, have current knowledge of and have the ability to explain applicable FSIS regulations, FSIS Directives, Notices and policies. Officials also must have the ability to provide the rationale for their “at least equal to” determination and describe how the State MPI Program stays current with FSIS regulations, FSIS Directives, Notices and policies. The explanation(s) must include a narrative that describes any changes in the State MPI Program over the past 12 months and the completed Appendix F, which lists all applicable regulations, directives, and notices. The narrative must also include a description of the techniques and medium used to convey existing and new information to State MPI Program personnel.

The State MPI Programs should implement a control system to evaluate and document the effectiveness of its programs. State MPI officials must provide a narrative that explains how the MPI Program meets the “at least equal to” criteria and achieves the outcome. The outcome must be supported by completed examples of documentation verifying program compliance (e.g., program records, such as Performance-Based Inspection System (PBIS) reports, management reports, enforcement activities and/or reports that demonstrate that the State MPI Program is achieving proper documentation, tracking, and resolution of non-compliance findings). These examples also should include documentation to demonstrate that supervisory oversight is being applied and that the supervisory process assures that State MPI Program personnel are adequately carrying out the State MPI Program’s inspection responsibilities.

Submit supporting documentation (preferably completed reports and documents) to show evidence that the State MPI Programs, described in the narrative, have been implemented, are functioning as intended and controls exist to ensure efforts to maintain the State MPI Program over the next 12 months are in place. Examples of supporting documentation are provided in Appendix C.

Please complete and sign the Annual Statement of Defensible Laboratory Results. This document must be signed by a responsible State official and submitted annually with the self-assessment.

Annual Statement of Defensible Laboratory Results

Laboratories conducting official analyses for State MPI Programs need not be accredited laboratories under 9 CFR 318.21 and 381.153, but are expected to operate in accord with those requirements. Laboratories conducting analyses for State MPI Programs should have procedures to ensure that samples are not compromised within the laboratory, including a documented chain of custody, and be able to defend the quality of their analyses in a court of law, e.g., be able to take enforcement action based on the test results.

NAME OF RESPONSIBLE STATE OFFICIAL _____

TITLE OF RESPONSIBLE STATE OFFICIAL _____

SIGNATURE OF RESPONSIBLE STATE OFFICIAL _____

DATE _____

STATE _____

CONTACT TELEPHONE NUMBER _____

CONTACT E-MAIL _____

CONTACT FAX NUMBER _____

Please complete the State Laboratory Activity Table on the next page or provide the same information in an easy-to-read format. The information you provide will be used to help assess whether the State product sampling program is “at least equal to” the Federal Program.

State Laboratory Activity Table

SUGGESTED FORMAT

State _____ Dates Covered _____

Microbial and Residue Sampling	# Establishments	Average # Samples per Year	# Samples Requested	# Viable Samples Analyzed	# Confirmed Positives
<i>E. coli</i> O157:H7 Ground Beef					
<i>E. coli</i> O157:H7 Beef Trim					
<i>E. coli</i> O157:H7 in RTE beef (fully cooked beef patties)					
<i>Listeria monocytogenes</i> in RTE products ALL RTE (random, not due to risk)					
<i>Listeria monocytogenes</i> in RTE products Risk (9 CFR 430 Specific)					
Environmental Testing <i>Listeria monocytogenes</i> Food Contact Surfaces Risk (9 CFR 430 Specific)					
Environmental Testing <i>Listeria monocytogenes</i> Non-Food Contact Surfaces Risk (9 CFR 430 Specific)					
<i>Salmonella</i> in RTE products					
<i>Salmonella</i> Performance Standards in raw classes of products					
Residue FAST/STOP					
Other					

Names and addresses of all laboratories used: (attach additional sheets if needed)

(1) Name _____
 Address _____
 Phone number _____

(2) Name _____
 Address _____
 Phone number _____

Component 4. Staffing and Training

Criteria for “at least equal to” determination

The State MPI Program must be “at least equal to” that provided under the Federal system. The State MPI Program must provide documentation that at a minimum supports that the State MPI Program has an adequate number of inspectors to provide a level of inspection coverage that is and will be maintained for the next 12 months “at least equal to” that provided by FSIS. FSIS maintains daily inspection coverage (each shift) in each establishment on days products are produced that require inspection and that persons performing meat and poultry inspection and/or enforcement duties have the knowledge, skills, and ability to carry out a meat and poultry inspection program “at least equal to” the Federal requirements.

Outcome

When objectively evaluated, is determined to be “at least equal to” that of the Federal system.

- There is daily inspection coverage at official establishments to ensure that only safe, wholesome, unadulterated, and properly labeled meat and poultry products receive the State mark of inspection.
- All personnel have the education and training needed to apply the State MPI Program’s inspection methodology according to regulation or directive, make decisions based upon the correct application of inspection methodology, document findings, and implement regulatory action.
- The State MPI Program has procedures in place to identify and investigate instances of employee misconduct, and take appropriate action based upon investigation results.

Instructions

State MPI Program officials are expected to stay current with, have current knowledge of and have the ability to explain applicable FSIS regulations, FSIS Directives, Notices and policies. Officials also must have the ability to provide the rationale for their “at least equal to” determination and describe how the State MPI Program stays current with FSIS regulations, FSIS Directives, Notices and policies. The explanation(s) must include a narrative that describes any changes in the State MPI Program over the past 12 months and the completed Appendix F, which lists all applicable regulations, directives, and notices. The narrative must also include a description of the techniques and medium used to convey existing and new information to State MPI Program personnel.

The State MPI Programs should implement a control system to evaluate and document the effectiveness of its programs. State MPI officials must provide a narrative that explains how the MPI Program meets the “at least equal to” criteria and achieves the outcome. The outcome must be supported by completed examples of documentation verifying program compliance (e.g., program records, such as PBIS reports, management reports, enforcement activities and/or reports that demonstrate that the State MPI Program is achieving proper documentation, tracking, and resolution of non-compliance findings).

These examples also should include documentation to demonstrate that supervisory oversight is being applied and that the supervisory process assures that State MPI Program personnel performance is monitored and they are adequately carrying out the State MPI Program's inspection responsibilities.

Submit supporting documentation (preferably completed reports and documents) to show evidence that the State MPI Programs, described in the narrative, have been implemented, are functioning as intended and controls exist to ensure efforts to maintain the State MPI Program over the next 12 months are in place. Examples of supporting documentation are provided in Appendix C.

- Provide a detailed description and implementation methodology used to determine staffing criteria for daily coverage of establishments producing product under the mark of inspection, including an adequate number of relief personnel.
- Provide a description of the procedures for providing relief inspection during scheduled and emergency leave situations and what controls exist to ensure compliance.
- Provide a description of the procedures used to verify daily inspection coverage. Include an explanation on how State MPI Program management analyzes that staffing requirements are met; identifies failures to meet staffing requirements; corrects staffing deficiencies; and what controls exist to ensure compliance.
- Provide a list of state establishments with supervisory control boundaries (such as circuits) to aid in selection of establishments for on-site review. Include establishment number, name, address, phone number, and whether the establishment is official or custom-exempt.
- Complete the following tables or provide the same information in an easy-to-read format.
 - Total Number of Establishments Inspected by State
 - State Assignment and Employment Report
- Answer the following training program questions:
 - How do you evaluate inspection personnel during and after their probationary period on their performance of inspections to determine practical application of inspection skills?
 - What training policies/plans are established?
 - What topics are covered?
 - How do you track training of employees?
 - How do you provide current policies to inspection personnel so they have up-to-date information to accurately carry out the State MPI Program's inspection responsibilities?

Total Number of Establishments Inspected by State – The form below is a Word document of FRAB form 5720-4. (Federal-State Cooperative Inspection Program (FSCIP), also known as Talmadge-Aiken plants or cross-utilization plants. FSCIP and Cross Utilization establishments are Federal establishments and are not reviewed as part of the State MPI Program. Since these establishments are staffed by State inspection personnel the number of these establishments is applicable to Component 4 determinations.

FY 2007 REQUEST
 U.S. DEPARTMENT OF AGRICULTURE
 FOOD SAFETY AND INSPECTION SERVICE
 FIELD OPERATIONS

STATE ESTABLISHMENT PROFILE – Suggested Format

STATE:		AS OF: (Month, Day, Year)				
I. NUMBER OF OFFICIAL PLANTS UNDER INSPECTION	TYPE	SLAUGHTER	PROCESSING		COMBINATION	TOTAL
	Meat					
	Poultry					
	Combination					
	TOTAL	0	0	0	0	
II. NUMBER OF EXEMPT PLANTS	Meat					
	Poultry					
	Combination					
	TOTAL	0	0	0	0	
III. NUMBER OF FSCIP PLANTS	Meat					
	Poultry					
	Combination					
	TOTAL	0	0	0	0	
REMARKS						
SIGNATURE					DATE	

STATE Assignment and employment report – The form below is a Word document of FRAB form 5720-5.

FY 2007 REQUEST

STATE ASSIGNMENT AND EMPLOYMENT REPORT – Suggested Format

NAME OF STATE AND AGENCY				AS OF DATE: (Month/Day/Year)		
	DESCRIPTION	AUTHORIZED POSITIONS		NUMBER OF EMPLOYEES		FTE STAFF YEARS
		FULL TIME	PART TIME	FULL TIME	PART TIME	
HEAD- QUARTERS (a)	VET. MEDICAL OFFICERS (VMOs)					
	FOOD INSPECTORS					
	COMPLIANCE PERSONNEL					
	LABORATORY PERSONNEL					
	ADMINISTRATIVE/CLERICAL					
	OTHER					
	SUBTOTAL	0	0	0	0	0
	REGIONAL / AREA / DISTRICT / CIRCUIT OFFICES (b)	VET. MEDICAL OFFICERS (VMOs)				
FOOD INSPECTORS						
COMPLIANCE PERSONNEL						
LABORATORY PERSONNEL						
ADMINISTRATIVE/CLERICAL						
OTHER						
SUBTOTAL		0	0	0	0	0
INPLANT (STATE PLANTS) (c)	VET. MEDICAL OFFICERS (VMOs)					
	FOOD INSPECTORS (Cross Utilization)					
	OTHER					
	SUBTOTAL	0	0	0	0	0
INPLANT (FEDERAL PLANTS)	VET. MEDICAL OFFICERS (VMOs)					
	FOOD INSPECTORS (Cross Utilization)					
	FOOD INSPECTORS (Base Time T/A)					
	OTHER					
	SUBTOTAL	0	0	0	0	0
TOTAL (Headquarters and Field)		0	0	0	0	0
TOTAL TALMADGE/AIKEN Overtime Hours						
COMMENTS						
PRINT NAME OF STATE DIRECTOR			SIGNATURE OF STATE DIRECTOR			DATE

INSTRUCTIONS FOR THE Word Document format that matches FSIS FORM 5720-5.

General Instructions

This form is designed to provide information on the staffing pattern for a Cooperative State Meat and Poultry Inspection Program.

Authorized Positions

Authorized Positions refers to the approved budget positions for the Cooperative State Inspection Program. In general, authorized positions should only appear in section (a) HEADQUARTERS, (b) REGIONAL/AREA/DISTRICT/CIRCUIT OFFICES, and (c) INPLANT – STATE PLANTS, since it is assumed that the positions have been created for the State program to inspect State plants.

Number Employees

The number employees refer to those employees hired by the State agency to participate in the Cooperative State Inspection Program. Generally, the employees' numbers should appear only in section (a), (b), and (c), unless the employee has been hired to work exclusively in a Federal plant.

FTE Staff Years

The amount of time the employees work in each activity should be shown in these columns. Thus, if an employee works fulltime, but spend 50 percent of his time inspecting State plants and the other 50 percent of his time in Federal plants, his time should be considered as 0.50 in each section.

Talmadge-Aiken Overtime Hours

If the State has a Talmadge-Aiken program, indicate the estimated number of overtime hours utilized.

Component 5. Humane Handling

Criteria for “at least equal to” determination

The State MPI Program has “at least equal to” humane handling laws and regulations to ensure that animals are humanely handled and maintained under appropriate conditions.

The State MPI Program performs verification procedures to ensure establishment compliance with humane handling rules and regulations.

The State MPI Program takes appropriate regulatory actions in response to observed noncompliance, including taking immediate control actions when noncompliance results in injury or inhumane treatment of animals. The State MPI Program takes action against any persons found to be engaging in inhumane methods of slaughter at official establishments (§ 1901 – 1907 of the Humane Methods of Livestock Slaughter Act).

Outcome

When objectively evaluated, is determined to be “at least equal to” that of the Federal system.

All livestock presented for slaughter are humanely handled throughout the time they are on official establishment premises. Examples of documentation verifying program compliance are records that demonstrate the establishments are achieving:

- Livestock pens, driveways, and ramps that do not cause injury to animals;
- Requirements for feed and water;
- Acceptable methods of stunning;
- Acceptable driving methods; and
- Requirements for moving non-ambulatory or disabled livestock.

Instructions

State MPI Program officials are expected to stay current with, have current knowledge of and have the ability to explain applicable FSIS regulations, FSIS Directives, Notices and policies. Officials also must have the ability to provide the rationale for their “at least equal to” determination and describe how the State MPI Program stays current with FSIS regulations, FSIS Directives, Notices and policies. The explanation(s) must include a narrative that describes any changes in the State MPI Program over the past 12 months and the completed Appendix F, which lists all applicable regulations, directives, and notices. The narrative must also include a description of the techniques and medium used to convey existing and new information to State MPI Program personnel.

The State MPI Programs should implement a control system to evaluate and document the effectiveness of its programs. State MPI officials must provide a narrative that explains how the MPI Program meets the “at least equal to” criteria and achieves the outcome.

The outcome must be supported by completed examples of documentation verifying program compliance (e.g., program records, such as PBIS reports, management reports, enforcement activities and/or reports that demonstrate that the State MPI Program is achieving proper documentation, tracking, and resolution of non-compliance findings). These examples also should include documentation to demonstrate that supervisory oversight is being applied and that the supervisory process assures that State MPI Program personnel are adequately carrying out the State MPI Program's inspection responsibilities.

Submit supporting documentation (preferably completed reports and documents) to show evidence that the State MPI Programs, described in the narrative, have been implemented, are functioning as intended and controls exist to ensure efforts to maintain the State MPI Program over the next 12 months are in place. Examples of supporting documentation are provided in Appendix C.

Component 6. Non-Food Safety Consumer Protection⁹

Criteria for “at least equal to” determination

The State MPI Program protects consumers from meat and poultry products that are unwholesome, economically adulterated, or not truthfully labeled. The State MPI Program needs to ensure that the regulatory regime is “at least equal to” the Federal non-food safety requirements for labeling and product standards. The State MPI Program has a label approval policy and verification procedures to ensure that labels are not false or misleading.

Outcome

When objectively evaluated, is determined to be “at least equal to” that of the Federal system.

Consumers are protected from meat and poultry products that are unwholesome, economically adulterated, or not truthfully labeled. Examples of documentation verifying program compliance are records that demonstrate the State MPI Program has ongoing verification of labeling and product standards and other non-food safety requirements applicable to product being produced.

Instructions

State MPI Program officials are expected to stay current with, have current knowledge of and have the ability to explain applicable FSIS regulations, FSIS Directives, Notices and policies. Officials also must have the ability to provide the rationale for their “at least equal to” determination and describe how the State MPI Program stays current with FSIS regulations, FSIS Directives, Notices and policies. The explanation(s) must include a narrative that describes any changes in the State MPI Program over the past 12 months and the completed Appendix F, which lists all applicable regulations, directives, and notices. The narrative must also include a description of the techniques and medium used to convey existing and new information to State MPI Program personnel.

The State MPI Programs should implement a control system to evaluate and document the effectiveness of its programs. State MPI officials must provide a narrative that explains how the MPI Program meets the “at least equal to” criteria and achieves the outcome. The outcome must be supported by completed examples of documentation verifying program compliance (e.g., program records, such as PBIS reports, management reports, enforcement activities and/or reports that demonstrate that the State MPI Program is achieving proper documentation, tracking, and resolution of non-compliance findings). These examples also should include documentation to demonstrate that supervisory oversight is being applied and that the supervisory process assures that State MPI Program personnel are adequately carrying out the State MPI Program’s inspection responsibilities.

⁹ Non-food safety consumer protection refers to consumer protection activities other than those focused directly on food safety and public health. Under the FMIA and the PPIA, FSIS is responsible for ensuring that products are wholesome; are properly marked, labeled, and packaged; and are not economically adulterated or contain components that, while not actually unsafe, are undesirable. FSIS has designated its assurances against these non-food safety concerns as “non-food safety consumer protection”.

Submit supporting documentation (preferably completed reports and documents) to show evidence that the State MPI Programs, described in the narrative, have been implemented, are functioning as intended and controls exist to ensure efforts to maintain the State MPI Program over the next 12 months are in place. Examples of supporting documentation are provided in Appendix C.

Component 7. Compliance

Criteria for “at least equal to” determination

The State MPI Program is “at least equal to” the Federal requirements if it enforces all applicable regulations and takes appropriate enforcement action in the event of non-compliance or potentially unsafe product.

The State MPI Program:

- Takes action against any persons found to be engaging in any prohibited acts associated with the safety, wholesomeness, or labeling of product or the integrity of the inspection program (§ 10, 11, and 22 of the FMIA [21 U.S.C. 610, 611, and 622] and § 9 and 10 of the PPIA [21 U.S.C. 458 and 459], by identifying violators and imposing appropriate sanctions (§ 401, 405 and 406 of the FMIA, and § 12, 13, and 18 of the PPIA).
- Takes appropriate control of product in intrastate commerce that appears to be adulterated or misbranded, or has not been inspected (§ 402 of the FMIA; § 19 of the PPIA), and ensures proper disposition of such product, including detention, seizure, condemnation, and destruction where appropriate (§ 403 of the FMIA and § 20 of the PPIA).
- Engages in surveillance to ensure that animal carcasses, carcass parts, or their products not intended for use as human food are not diverted to human food uses (§ 201, 202, 203 of the FMIA; § 11 of the PPIA).
- Documents findings in a manner necessary to support enforcement action.
- Takes action to remove or have removed adulterated or misbranded product that has entered commerce.
- Has laws to prosecute any person who forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person while engaged in or on account of the performance of their official duties.

Outcome

When objectively evaluated, is determined to be “at least equal to” that of the Federal system.

The State MPI Program provides assurance to the public that affected businesses are complying with regulatory requirements, and has procedures in place to monitor meat and poultry products, and handling of these products, as they are distributed in intrastate commerce. Examples of documentation verifying State MPI Program compliance are records that demonstrate the State MPI Program is achieving surveillance and enforcement activities, including sample collection, and taking regulatory action when needed, up to and including prosecution of individuals or firms that have violated the State’s laws.

Instructions

State MPI Program officials are expected to stay current with, have current knowledge of and have the ability to explain applicable FSIS regulations, FSIS Directives, Notices and policies. Officials also must have the ability to provide the rationale for their “at least equal to” determination and describe how the State MPI Program stays current with FSIS regulations, FSIS Directives, Notices and policies.

The explanation(s) must include a narrative that describes any changes in the State MPI Program over the past 12 months and the completed Appendix F, which lists all applicable regulations, directives, and notices. The narrative must also include a description of the techniques and medium used to convey existing and new information to State MPI Program personnel.

The State MPI Programs should implement a control system to evaluate and document the effectiveness of its programs. Provide a narrative that explains how the MPI Program meets the “at least equal to” criteria and achieves the outcome.

The outcome must be supported by completed examples of documentation verifying program compliance. Include descriptions of:

- The State MPI Program’s Planned Compliance Program;
- The methods for reporting compliance activities;
- Procedures for recall of meat and poultry products; and
- Procedures for obtaining, and preserving legal integrity of documentary and other evidence, in order to support legal action.

Submit supporting documentation (preferably completed reports and documents) to show evidence that the State MPI Programs, described in the narrative, have been implemented, are functioning as intended and controls exist to ensure efforts to maintain the State MPI Program over the next 12 months are in place. Examples of supporting documentation are provided in Appendix C.

Please also complete the Compliance and In-Plant Activity Report or provide the same information in an easy-to-read format.

COMPLIANCE AND IN-PLANT ACTIVITY REPORT

SUGGESTED FORMAT

MONTH/YEAR – MONTH/YEAR	STATE NAME	FEDERAL FISCAL YEAR	
COMPLIANCE ACTIVITIES	NUMBER OF ACTIVITIES		
Risk-based Reviews			
Consumer Complaints			
Letters of Warning			
Hearings			
Court Actions/Prosecutions			
FMIA/PPIA/HMSA Violation Cases			
Personal Contacts			
Registrations of Meat and or Poultry Handlers			
Miscellaneous Actions/Special Projects (Please itemize)			
DETENTIONS	NUMBERS/OR POUNDS	LABORATORY (Compliance Only)	NUMBER
Number of Detentions		Number of Samples*	
Pounds of Product Detained		Number of Determinations	
Pounds of Product Released		Number Out of Compliance	
Pounds of Product Condemned			
Pounds of Product Voluntarily Destroyed			
SIGNATURE OF STATE DIRECTOR			DATE

*One sample can have multiple determinations and a multiple number out of compliance.

Component 8. Civil Rights

Criteria for review determination

The State MPI Program must provide accurate documentation to demonstrate that its State MPI Program is presently and will be maintained for the next 12 months “at least equal to” the Federal requirements.

The State MPI Program:

- Adheres to Federal civil rights laws;
- Adheres to USDA civil rights regulations; and
- Achieves the intended outcome.

Outcome

Civil rights are respected and the organization conducts its operations in a non-discriminatory manner that complies with the laws and regulations cited below.

Instructions

As verification of the State MPI Program’s compliance with the following civil rights laws, regulations, and policies listed below, please complete the attached FSIS form 1520-1, Civil Rights Compliance of State-Inspection Programs, or download the form at http://www.fsis.usda.gov/Forms/PDF/Form_1520-1.pdf.

- Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d
- Section 504 of the Rehabilitation Act of 1973, as Amended, 29 U.S.C. 794
- Age Discrimination Act of 1975, 42 U.S.C. 6103 et seq.
- Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq.
- 7 CFR 15 Subpart A, Nondiscrimination in Federally Assisted Programs of the Department or Agriculture
- 7 CFR 15 Part b, Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving Federal Financial Assistance
- Department Regulation 4330-2, dated March 3, 1999, Non-discrimination in Programs and Activities Receiving Federal Financial Assistance from USDA
- Departmental Regulation 4300-3, dated November 16, 1999, Equal Opportunity Public Notification Policy
- FSIS Directive 1520.1, Civil Rights Compliance and Enforcement (currently being updated and revised)
- FSIS Directive 1510.1, Equal Opportunity Notification of Material for the Public dated January 25, 2001

PART A, Public Notification Process, and PART C, Discrimination Complaints, are to be completed by the State Director. PART B, Civil Rights Training, and PART D, Program Accessibility, are to be completed by the State’s Civil Rights Office or Human Resources Office – whichever has designated responsibility.

The self-assessment Form 1520-1 is to be signed by the designated State Official such as a Commissioner, Director or Secretary who would be deemed appropriate and responsible for signing the State-Federal Cooperative agreement and the annual application for Federal financial assistance, assuring that the State's MPI Program will be conducted in compliance with all Federal statutes relating to nondiscrimination.

Mail the completed form, with an original signature, to: FSIS Civil Rights Division
5601 Sunnyside Avenue
Mail Drop 5261
Beltsville, MD 20705-5261

CIVIL RIGHTS COMPLIANCE OF STATE INSPECTION PROGRAMS

PART A . PUBLIC NOTIFICATION PROCESS

(To be completed by State Director)

1. Check all locations where the USDA Civil Rights Poster is prominently displayed within the State.

State Office

Regional Office(s)

In-Plant inspection offices

Other (describe)

2. The following must contain a non-discrimination statement providing notification that the inspection program will be conducted without regard to race, color, national origin, age, or disability. Please check to confirm compliance.

Applications for inspection

Information/outreach material provided to the public

Meat/Poultry Web site

Official letterhead

Other (describe)

PART B. CIVIL RIGHTS TRAINING

(To be completed by State Civil Rights/Human Resources Office)

1. List the civil rights training topics given within the past year to all inspection and office personnel who interact with program beneficiaries and the public. Include dates of training and number of employees trained.

2. Describe the State's system for tracking civil rights training.

3. Describe the civil rights training planned for the new Federal fiscal year (may include training schedule, topics, agenda, source of training).

4. How are inspection and office personnel made aware of their civil rights responsibilities to deliver service in a non-discriminatory manner?

5. Provide the name, title, phone number and e-mail address of the individual with delegated responsibility for monitoring and oversight of the civil rights and disability programs for the inspection program.

PART C. DISCRIMINATION COMPLAINTS (To be completed by State Director)

1. Have there been any allegations of discrimination involving the delivery of inspection services to program beneficiaries or applicants within the last year? If yes, describe the basis(es), issue(s), status, and disposition. No Yes

2. Describe how applicants for inspection and program beneficiaries are notified of their right to file a complaint of discrimination with USDA .

PART D. PROGRAM ACCESSIBILITY (To be completed by State Civil Rights/Human Resources Office)

1. Does the State office provide appropriate access to disabled persons regarding: (Check all that apply)

- Placarded parking Automated/assisted door entry Audio or braille equipped elevators
 Cut/raised curbing Accessible restrooms Accessible drinking fountains

2. A published text telephone (TTY) and/or State Relay Service number is required for accessible communication. Check to confirm compliance.

- Publications available to the public State Meat/Poultry Web Other (describe)

3. Describe inspection-related program materials made available in alternative formats (Braille, large print, audio).

4. Has the program received any requests for language interpretation or translation services? If yes, how was the request accommodated? No Yes

5. Describe the State's participation in educational and outreach activities (e.g., state or county fairs, elementary, post secondary Career day functions, 4-H events, senior citizen programs, partnerships, etc.).

Willfully false statements on the report are punishable by law. (U.S. Code Title 118, Section 1001)

PRINT NAME AND TITLE OF STATE OFFICIAL	SIGNATURE OF STATE OFFICIAL	DATE
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Component 9. Financial Accountability¹⁰

Criteria for Review Determination

The State agency must provide sufficient matching funds to ensure the uninterrupted operation of a State MPI Program that is consistent with Federal requirements. Funding must be sufficient to support an “at least equal to” standard in each of the components for the next 12 months.

The State MPI Program must follow 7 CFR Part 3016, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (previously know as the Common Rule). The State agency must follow FSIS Directive 3300.1, Rev. 2, “*Fiscal Guidelines for Cooperative Meat and Poultry Inspection Programs.*”

Certification for Component 9

The following actions are required for certification of “at least equal to” status:

- (1) Timely submission of annual budget to FSIS; submission of all data requested.
- (2) Timely submission of annual indirect cost proposal to the cognizant Federal Agency (due within six months after close of State fiscal year).
- (3) Timely submission of Financial Status Reports (SF-269As) to FSIS. Quarterly Reports are due within thirty days after the close of each quarter (e.g., 4th Quarter SF-269A Report is due by October 30). The final report is due within 90 days of the end of the Federal Fiscal Year (e.g., by December 30).
- (4) Whenever an on-site financial review is performed by FSIS Financial Management Division using the *Guide for Performing On-site Fiscal Reviews*.¹¹ Any discrepancies in funding and financial accountability are corrected immediately through SF-269A revisions and payment adjustments. Timely resolution of all other findings.

Documentation Required For On-site Financial Review

- State’s centralized accounting reports containing the State MPI Program’s expenditures
- Worksheets or schedules that were used to reconcile the centralized accounting reports to the SF-269As.
- Documentation for any other FSIS cooperative agreements (e.g. FAIM, Talmadge-Aiken Overtime, Cross Utilization)
- Single or departmental audit reports
- Detailed organizational chart with employee names

¹⁰ Financial accountability means the money provided to operate the State Meat and Poultry Inspection Program. This responsibility is currently shared 50/50 between USDA/FSIS and the participating State governments. The State portion of the MPI Program is funded through appropriated funds and fees/charges as established by State law. Federal funds are provided through drawdowns against current fiscal year (FY) costs as available and authorized by FSIS. Financial accountability involves the adequacy of the financial systems, reports, records, and procedures employed by the State agency to provide accounting support for the MPI Program. Financial accountability also involves compliance with the various circulars, directives, and guidelines relating to Federal Financial Assistance also known as FFA.

¹¹A copy of the document is available from the Chief, Financial Reviews and Analysis Branch, USDA/FSIS/Financial Management Division, Mail Drop 5264, 5601 Sunnyside Avenue, Beltsville, MD 20705.

- Equipment inventory list as defined by State requirements
- Contractual agreements
- Procedures for the “Preparation and Review of the SF-269A report”
- List of employee retirements/terminations by quarter (e.g. April-June) with disposition of annual and sick leave balances (Only if State MPI Program claims indirect costs AND the State’s centralized accounting reports do not have object codes for terminal leave payments).

The above documents are items that State agencies are to have *on hand* to be examined by FSIS auditors during an on-site financial review.

Outcome

Resources for the next 12 months will be sufficient for the conduct of inspections and related activities in Components 2-8 that are required of State MPI Programs operating under the FMIA, PPIA, and the HMSA authorized Cooperative Agreements.

Accounting support is adequate for the State MPI Program and is in compliance with applicable Federal financial assistance guidance. Federally-funded expenditures are appropriate, and expense reports on file at FSIS are accurate and complete.

Instructions For Self Assessment

Regarding Component 9, if the State MPI Program is current in the financial reporting activities that are required throughout the Federal fiscal year (#s 1-4 on page 36) please do not resubmit financial reports or documentation that has been previously submitted to the applicable FSIS offices. Instead, you need only sign the following annual certification statement and submit it with your other self-assessment supporting documentation.

We are current in all required financial reporting activities. All documentation required for an on-site financial review is available in the State central office or (fill in blank) _____.

If you are not current in all required financial reporting activities, then you need to submit to the appropriate FSIS offices whatever items will make you current to the applicable FSIS offices. In a cover letter, please indicate the reasons(s) for its delinquency.

Guidance

FSIS Directive 3300.1, Rev. 2, Fiscal Guidelines for Cooperative Meat and Poultry Inspection Programs, contains instructions for the preparation and submission of both the annual budget and SF-269As. Additional guidance for the submission of SF-269A, Financial Status Reports is contained in 7 CFR Part 3016.40 (b1). State agency grantees are required to maintain supporting documentation for their final SF-269A, Financial Status Reports for three years after submission (7 CFR Part 3016.42).

Additional guidance for the analysis of budget submissions is contained in the FSIS document, titled “A Guide for the Preparation of the Cooperative State Meat and Poultry Inspection Program Budget Submissions, dated September 2004.”¹² Guidelines for the preparation and submission of indirect cost proposals are contained in OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments, Revised 5/10/04.

Annual Assurance Statements

Regarding Component 9, FMD/Financial Reviews and Analysis Branch (FRAB) and RMPS/Financial Management Unit (FMU), will provide annual assurance statements to the OPEER Federal/State Audit Branch by February 1st that the State agencies are current in the financial reporting activities that are required throughout the Federal fiscal year. FMU will review and report regarding the submission of annual budgets. FRAB will review and report regarding the submission of annual indirect cost proposals, submission of Quarterly and Final SF-269A, Financial Status Reports, and timely responses to financial review findings.

¹²A copy of the document is available from the Director, Resource Management and Planning Staff, 1400 Independence Avenue, RM 324 CQ Building, Washington, DC 20250.

On-site Review

State Responsibility

Approximately 75 days before FSIS conducts the direct observation portion of the on-site review, a teleconference (on-site program entrance meeting) is held with State MPI Program officials. Within two weeks after the teleconference the State MPI Program officials will need to supply the following.

- An updated list of inspected and custom exempt establishments including the supervisory boundaries.
- Examples of the internal evaluations and management controls for components 2–9 for the previous 12 months.

After FSIS has the direct observation portion of the on-site review scheduled the State MPI Program officials will designate person(s) to work with FSIS during the on-site reviews. The State MPI Program personnel will conduct the facility reviews with FSIS observing. The daily exit meeting held at each establishment will be conducted by the State MPI Program personnel after a short correlation with FSIS. If the review team or the State MPI Program findings indicate corrective action is needed, State MPI Programs will be expected to follow the established corrective action timeline (See Appendix B). Per the timeline, State MPI Program officials shall supply FSIS with corrective actions within 10 working days of the exit meeting.

FSIS Responsibilities

The purpose of the on-site review is to verify that the State MPI Program has implemented and can maintain its inspection system in accordance with their submitted self-assessment and to determine if the State MPI Program is “at least equal to” the Federal requirements. FSIS will conduct the on-site review in part by reviewing establishment records and observing State MPI Program implementation, oversight and management. The on-site review includes examining the implementation of the State MPI Program’s most current self-assessment and any narrative that describes any changes in their Program for the past 12 months before going into establishments for direct observation.

The on-site review process begins with the formation of a review team. The review team includes subject matter experts in meat and poultry inspection systems, enforcement programs, staffing, civil rights, and financial accountability. The review team begins its preparation with a thorough review of the State MPI Program’s self-assessment submission and copies of the State MPI Program’s management control reports. Each review team has an assigned Team Leader, who schedules the on-site review with the State MPI Program Official, coordinates the team’s activities, and completes the *Annual Review and Determination Report*. The seven steps of the on-site review process – (1) start-up, (2) program entrance meeting, (3) FSIS on-site reviews, (4) program exit meeting (5) determination (6) follow-up review (if needed), and (7) *Annual Review and Determination Report* – are described below:

(1) Start-Up

The Branch Chief (or designee) will assemble a multi-disciplinary team with a designated Review Team Leader. The Review Team Leader will manage the team and serve as the primary contact for State MPI Program officials and FSIS management.

(2) Program Entrance Meeting

The review team will conduct an initial telephone conference call with State MPI Program officials to explain the review process and request a current list of state inspected establishments and custom exempt facilities, a list of the supervisory jurisdictional boundaries and copies of the State MPI Program's management control reports conducted within the last 12 months.

(3) FSIS On-site Reviews

FSIS reviewers will follow established standard operating procedures for selecting establishments and completing the on-site review. FSIS reviewer will provide an electronic or printed draft report of that establishment's individual findings to the State MPI Program official the following working day.

(4) Program Exit Meeting

A program exit meeting will be conducted to discuss system findings, if any, within the State MPI Program as a result of the on-site review. Prior to the exit meeting, FSIS will provide State MPI officials with finalized individual establishment findings. Additionally, FSIS will provide the State MPI Program officials with a draft summary of the system findings, if any, before the program exit meeting. State MPI Program officials will be asked to submit a corrective action plan for the system findings, if any, discussed at the program exit meeting as well as their documentation of the individual establishment findings from the on-site reviews.

(5) Determination

Once the program exit meeting is concluded and the State MPI Program official submits corrective action plan(s), FSIS will review them and may make a determination of "at least equal to" Federal requirements for the on-site review. It is important to note that FSIS may request clarification on specific items, and in certain cases, a follow-up review may be required. (See Appendix B)

(6) Follow-Up Review

A follow-up review is conducted when FSIS determines there is a public health concern with a majority of the program categories and a State MPI Program indicates they want to maintain their program. A follow-up review verifies the implementation of the State MPI Program's corrective action plan. Because the State MPI Program was found to have system findings on the initial review, the level of confidence expected to achieve an "at least equal to" determination will be elevated on a follow-up review.

(7) Annual Review and Determination Report

The *Annual Review and Determination Report* will summarize the results of the FSIS review of the self-assessment submission, the Federal on-site review process within the State MPI Program (including the results of the follow-up review), and the review team's determination about the "at least equal to" status of the States MPI Program. The report will include the rationale for the determination, findings and observations, and individual component determinations.

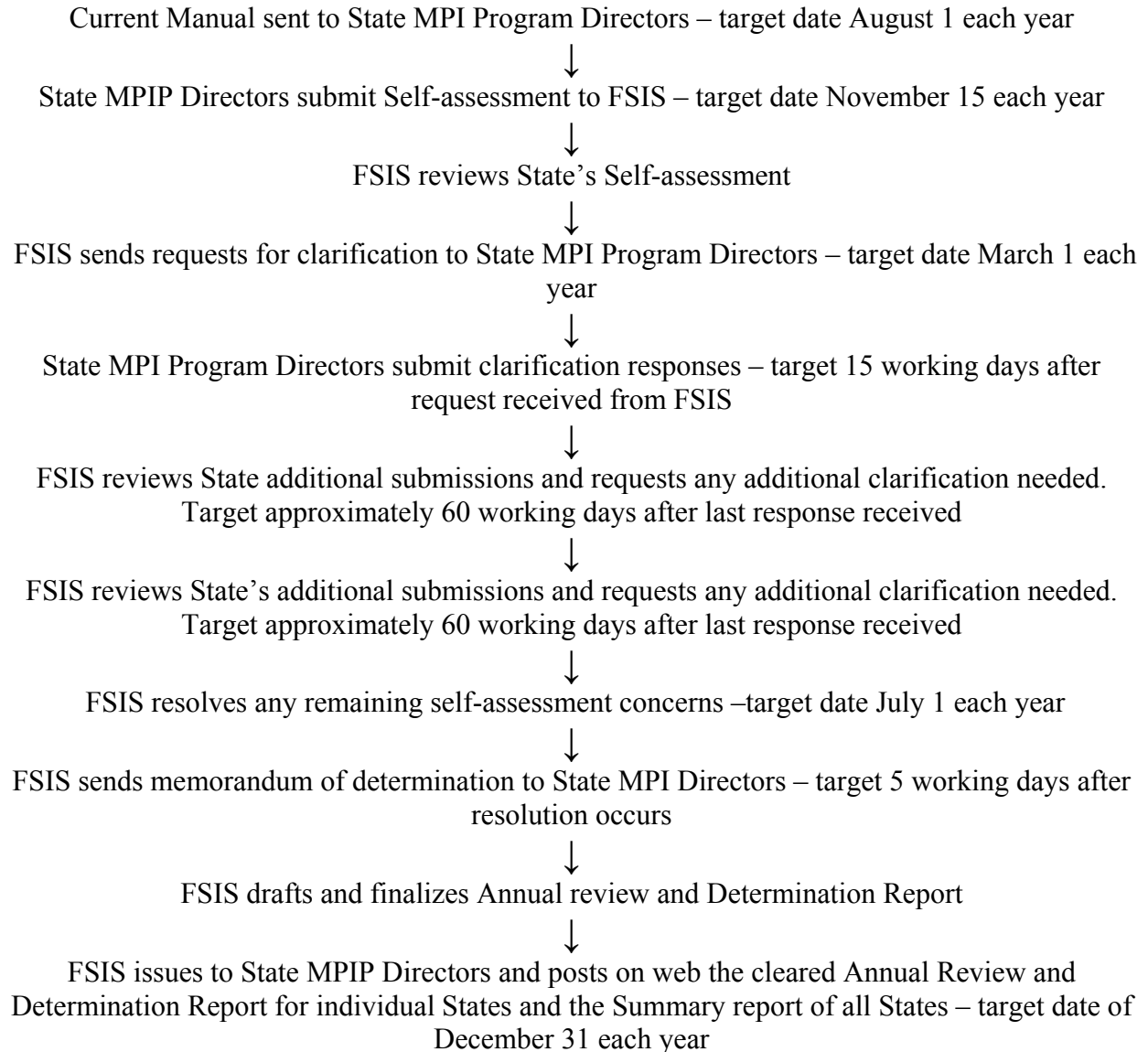
As discussed in Appendix B, Timeline for on-site review schedule, each October FSIS announces which State MPI Programs will receive on-site reviews in the coming fiscal year. FSIS will send a written notification to these State MPI Programs 75 days prior to the start of the on-site review. The on-site review begins when a conference call entrance meeting between FSIS and State MPI Program officials. During this teleconference, FSIS will request a current list of State-inspected establishments, custom exempt facilities, a list of the supervisory boundaries and copies of the State MPI Program's management control reports conducted within the last 12 months. The State MPI Program officials must supply the requested information to FSIS within 10 working days after the conclusion of the entrance meeting.

After FSIS receives the requested information, the agency has at least 60 days in which to review it. Based on the evaluation of the State MPI Program's management control reports, the most current self-assessment and the narrative that describes any changes in the State's MPI Program for the past 12 months, FSIS will select one establishment reviewed by the State MPI Program to review on-site. FSIS also will review a random number of establishments that were not reviewed by the State MPI Program. One week prior to the scheduled on-site review FSIS will notify the State MPI Program which establishments are chosen for the review. FSIS will travel to the selected establishments and follow the on-site review protocol.

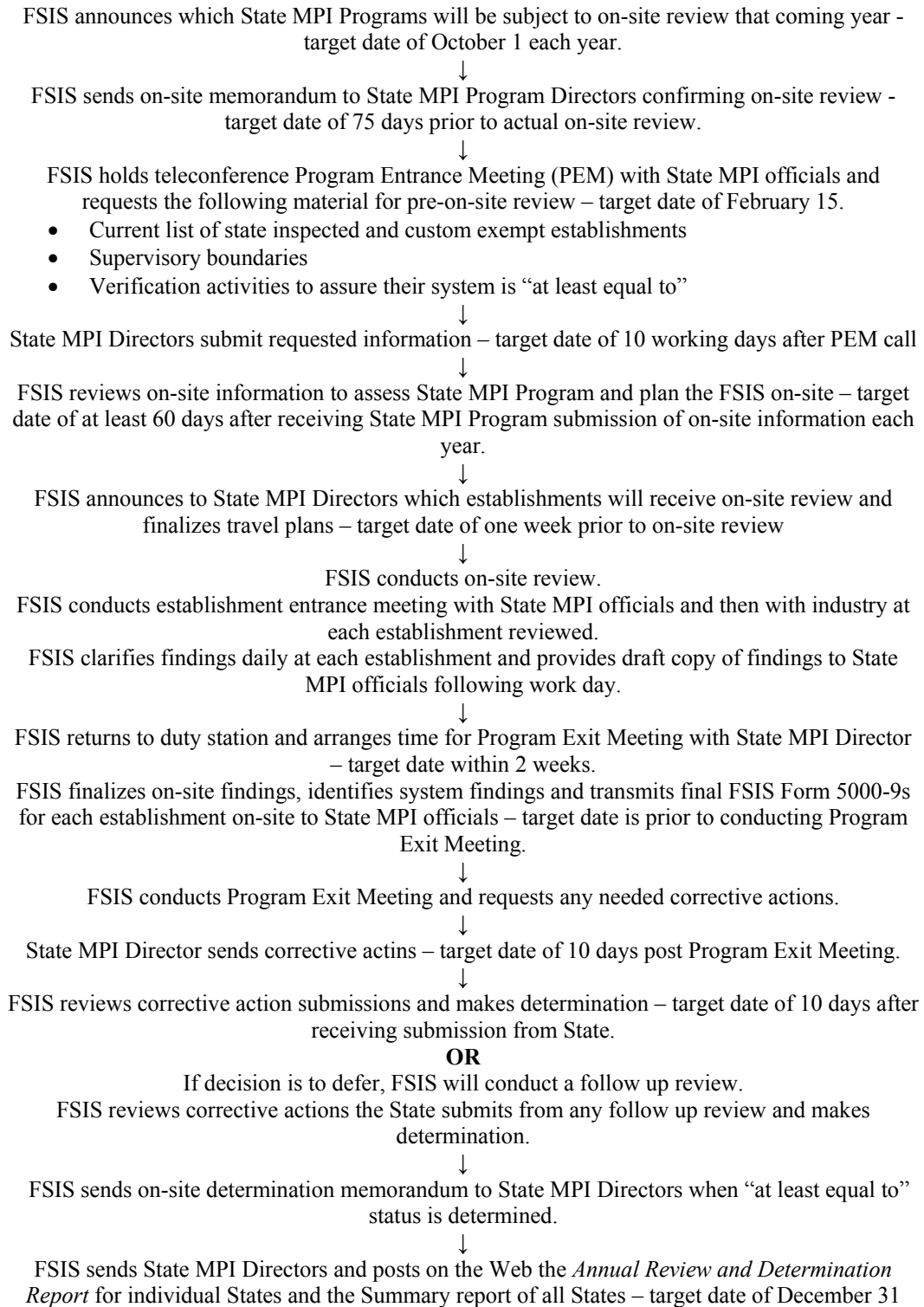
When the on-site reviews are completed, the FSIS officials conducting the reviews will return to their duty station and within 10 working days will coordinate with State MPI Program officials to schedule a time for an exit meeting teleconference. Prior to the exit meeting an FSIS official will send a draft summary to the State MPI Program officials identifying system findings, if any, and will transmit the final findings to the State MPI Program officials. The State MPI Program has 10 working days after the program exit meeting, where all findings were discussed, to provide FSIS with corrective action plans. As soon as FSIS receives the corrective action plans the submissions will be reviewed and a determination will be made. FSIS will issue a determination memorandum to the State Director.

Appendices

Appendix A: Timeline for Self-Assessment Review



Appendix B: Timeline for On-site Review



Appendix C: Examples of Supporting Documentation for Components 1-7

It is the responsibility of each State to provide documentation to support the implementation of their program as written in their self-assessment. The documentation needs to include representative examples from the last 12 months that demonstrate the State's ability to maintain an "at least equal to" program. Examples of documentation for supporting an "at least equal to" State MPI Program are provided below for components 1-7. The list is not intended to be all inclusive.

Component 1. Statutory Authority and Food Safety Regulations

Submit cited documentation to verify and demonstrate program compliance. Examples of supporting documentation are the following:

- a. Copy of the State Code/Acts/Regulations with specific cross-references to 9 CFR.
- b. If you consider other species amenable, so identify and reference the Code/Act/Regulation or State statutory authority that applies.

Component 2. Inspection

Submit cited documentation to verify and demonstrate program compliance. Examples of supporting documentation are the following:

- a. PBIS reports (Establishment HACCP Summary)
- b. List of all procedure codes used and explanation if different than PBIS
- c. Method used for scheduling inspection procedures if other than PBIS
- d. NRs, 30 day letters, Notice of Intended Enforcement Action Letters (NOIEs),
- e. Comprehensive Food Safety Assessments (CFSAAs)
- f. Submit all directives that are different than those issued by FSIS
- g. Procedures for grant approval process, suspensions and withdrawal
- h. Evidence that State MPI Programs use to assure themselves their program is effectively implemented and is being effectively executed.

Component 3. Product Sampling

Submit cited documentation to verify and demonstrate program compliance. Examples of supporting documentation are the following:

- a. Scheduling of samples and frequency (both microbiological and chemical)
- b. Sample protocol for each adulterant
- c. Lab results (completed lab forms)
- d. Documentation indicating that sample integrity is maintained
- e. Directed residue and FAST/STOP sampling and results
- f. Procedures for follow-up actions to positive results

Component 4. Staffing and Training

Submit cited documentation to verify and demonstrate program compliance. Examples of supporting documentation are the following:

- a. Describe the criteria you use for assigning work
- b. Evidence of daily coverage to all inspected facilities
- c. PBIS reports
- d. Employee evaluation forms and policy
- e. Copy of training plan/policies for all inspection program personnel
- f. Method of tracking training
- g. NRs to demonstrate adequate training concerning documentation

Component 5. Humane Handling Laws and Regulations

Submit cited documentation to verify and demonstrate program compliance. Examples of supporting documentation are the following:

- a. Assessment reports/supervisory visits
- b. NRs
- c. Procedures/instructions for handling inhumane handling situations
- d. PBIS reports
- e. Any database concerning inhumane handling situations

Component 6. Other Consumer Protection Regulations

Submit cited documentation to verify and demonstrate program compliance. Examples of supporting documentation are the following:

- a. Process for approving labels
- b. NRs
- c. PBIS schedules/reports

Component 7. Enforcement Regulations

Submit cited documentation to verify and demonstrate program compliance. Examples of supporting documentation are the following:

- a. Forms and guidelines followed for reporting violations to your code/act/statutes
- b. Recall procedures and effectiveness checks
- c. Evidence preservation and chain of custody policies and procedures
- d. Compliance protocol for collecting samples and maintaining sample integrity
- e. Describe procedures for detention and seizure of product

Appendix D: Civil Rights Questionnaires

Program Manager Interview Questions

State _____ Date of Review _____
Name and Title of Manager _____
Reviewer _____

A. PUBLIC NOTIFICATION

(Civil rights written assurance statements)

1. Provide copies of current signed civil rights assurance statements contained in the State-Federal Cooperative Agreement, including Attachment B; and as part of the annual application for Federal financial assistance, SF Form 424 B Assurances, Non-Construction Programs.

(Informing applicants/beneficiaries of inspection services and their program rights and responsibilities)

2. How does the State make the public aware of the inspection program; the requirements for obtaining a license and/or grant of inspection; and of new programs or changes in existing program requirements?

(Informing applicants/beneficiaries of the nondiscrimination policy and procedures for filing a complaint)

3. (a) Provide copies of all inspection-related State program materials containing a nondiscrimination statement (e.g. applications, forms, posters, publications, information sheets, etc.). All public information materials are required to contain the USDA nondiscrimination statement.

(b) Are there public information materials which do not contain a nondiscrimination statement?

Yes _____ No _____

4. Provide a copy of the current State issued civil rights policy statement.

5. Are FSIS civil rights notices distributed and discussed with inspection personnel?

Yes _____ No _____

6. Describe the method of distribution of the USDA "And Justice For All" poster in State program offices, and describe where it is prominently displayed within the State.

7. Are beneficiaries advised by inspection personnel that the program rights and complaint filing information appearing on the USDA non-discrimination statement (“And Justice For All” poster) apply to them? Yes _____ No _____

If not, explain why:

8. Are there alternate means of providing the nondiscrimination statement and complaint filing information at service delivery points? Yes _____ No _____

If yes, describe:

B. DISCRIMINATION COMPLAINTS

(Applicants and beneficiaries are to be advised at the service delivery point of their right to file a complaint, how to file a complaint, and the complaint procedures)

1. Within the last three years, have there been any allegations of discrimination filed by program beneficiaries against State officials relating to (1) the approval process for grants of inspection; or (2) the delivery of inspection services? Yes _____ No _____
If yes, provide the complete case files.

2. How are applicants and beneficiaries notified of their right to file a discrimination complaint with the USDA, the applicable bases and time frame, and procedures for filing a complaint?

3. Describe the State’s procedures for processing and resolving complaints of discrimination.

Civil Rights/Human Resources Office Interview Questions

Name/Title of Manager(s):

A. PUBLIC NOTIFICATION

1. (a) Provide copies of all inspection-related State program materials intended for the public (e.g. applications, forms, posters, publications, information sheets, etc.). All public information materials are required to contain the USDA nondiscrimination statement.

(b) Are there public information materials which do not contain a nondiscrimination statement?
Yes _____ No _____

2. Provide examples of public information materials containing text, photographs and/or graphics reflecting equal opportunity, and depicting beneficiaries of different races, national origins, gender, ages, and disabilities.

3. Describe outreach efforts, if applicable, to persons who have not participated equally in State programs and activities in the past.

B. CIVIL RIGHTS TRAINING AND POSITION ACCOUNTABILITY

1. Are non-supervisory meat and poultry inspection personnel provided training on civil rights topics at orientation, and at least annually thereafter? Yes _____ No _____ If no, why not?

2. Is a civil rights module included in all management and supervisory training and orientation programs? Yes _____ No _____ If no, why not?

3. Provide a listing of the civil rights training provided to meat/poultry inspection personnel within the last three years. Include course description, dates of training, and source of training:

4. Provide a listing of any proposed civil rights training planned for the next fiscal year.

5. How does the State hold employees accountable for conducting inspection services in a non-discriminatory manner?

C. DISCRIMINATION COMPLAINTS

1. Are State inspectors trained on discrimination complaint procedures and apprising applicants and beneficiaries of their right to file a program complaint of discrimination and the procedures to do so?
 Yes _____ No _____

2. Within the last three years, have there been any allegations of discrimination regarding how the State administers the Meat and Poultry Inspection Program? Yes ___ No ___
 If yes, explain and provide case files.

3. Specifically describe the procedures the State follows when allegations of program discrimination are raised.

D. PROGRAM ACCESSIBILITY (On-site verification by Civil Rights Division program reviewer)

1. Are the following available and accessible to people with disabilities at State program facilities?

	No	Yes
a. Designated parking for the disabled		
b. Cut and/or raised sidewalk entrance ramps		
c. Automated (electric eye or push button) doorways		
d. Intercoms at the main building entrance(s)		
e. Designated bathrooms for the disabled with automated doors, lowered sinks and designated stalls		
f. Elevators with audio system that announce floor numbers and/or have Braille markings		
g. Assistive listening devices such as a Telecommunications Device for the Deaf (TDD)		
h. State’s Telecommunications Relay Service		
i. Water fountains		

2. Provide examples of materials distributed or available to the public (including the State Web site) which demonstrate accessibility of program services to the disabled (TDD/State relay phone number, large print, Braille, audio).

3. Does the State provide educational outreach service to various age groups relative to information about the inspection program, food safety, or the mission of the State, etc? Yes ___ No ___ If yes, describe examples.

4. Have applicants for program services, beneficiaries, or the general public raised any accessibility or language translation issues in receipt of services? Yes ___ No ___
If yes, explain how they were addressed by the State.

Appendix E: Table 1 List of Component 1 Federal Issuances

Instructions:

- For each Federal issuance listed in column one, please provide a response in each cell in column two, titled Documentation to support “at least equal to”.
- If you answer “N/A”, place a 3 in “Documentation to support “at least equal to” column and please explain.
- If you answer “submitted in 2006 and *no* change,” place a 1 in “Documentation to support “at least equal to” column.
- If you answer “revised or new documentation,” place a 2 in “Documentation to support “at least equal to” column and please provide a copy of the relevant documents to support your determination.

Table I: List of Component 1 Federal Issuances

<p align="center">COMPONENT 1 Federal Issuance</p>	<p align="center">Documentation to support “at least equal to” (1)Submitted in 2006 and no change, (2)Revised or new documentation, or (3) Not applicable</p>
FMIA – Federal Meat Inspection Act	
PPIA – Poultry Products Inspection Act	
HMSA – Humane Methods of Slaughter Act	
Custom Exempt – 9 CFR 303.1	
Slaughter Regulations	
9 CFR 309-311 – meat	
9 CFR 381.70-95 – poultry	
9 CFR 381.66	
Humane Slaughter of Livestock Regulations	
9 CFR 313 – meat	
Specified Risk Material Regulations	
9 CFR 310.22 - meat	
Generic <i>E. coli</i> Regulations	
9 CFR 310.25 – meat	
9 CFR 381.94 – poultry	
<i>Salmonella</i> Performance Standards Regulations	
9 CFR 310.25 – meat	
9 CFR 381.94 – poultry	
Zero Tolerance Regulations	
9 CFR 310.17-18 – meat	
9 CFR 381.65 – poultry	
Condemned Product Control	
9 CFR 314.1,2,3	
9 CFR 325	
Processed Products Regulations	
9 CFR 318.1-6, 9, 12-14, 16-18, 20, 22-24 - meat	
9 CFR 381.145- 146, 148, 150-152 – poultry	
Sanitation Performance Standards Regulation	
9 CFR 307.1-3 – meat	
9 CFR 381.36, subchapter G - poultry	
9 CFR 416.1-6	
SSOPs Regulation	
9 CFR 416.11-17	
HACCP Regulation	
9 CFR 417	
Residues Regulations	
9 CFR 309.16 - meat	
9 CFR 310.21 - meat	
9 CFR 318.16 - meat	
9 CFR 318.20 - meat	
9 CFR 381.74 - poultry	
9 CFR 430 – <i>Listeria monocytogenes</i> Regulation	
Labeling Regulations	
9 CFR 316-317 – meat	
9 CFR 381 Subparts M, N, and Y – poultry	
9 CFR 381.129 – poultry labeled “fresh”	
9 CFR 441.10 – retained water	
9 CFR 319 – Product Standards Regulation	
9 CFR 424 – Preparation and Processing Operations; Food Ingredients and Sources of Radiation	
Enforcement Regulations	
9 CFR 318.15, 335, 329, 381 subpart U	
9 CFR, Part 500	

Appendix F: Tables for Components 2-7 Federal Issuances*

Instructions:

- For each Federal issuance listed in column one, please provide a response in each cell in column two, titled Documentation to support “at least equal to”.
- If you answer “N/A”, place a 3 in “Documentation to support “at least equal to” column and please explain.
- If you answer “submitted in 2006 and *no change*,” place a 1 in “Documentation to support “at least equal to” column.
- If you answer “revised or new documentation,” place a 2 in “Documentation to support “at least equal to” column and please provide a copy of the relevant documents to support your determination.

Table II List of Components 2 – 7 Federal Issuances

COMPONENT 2 - 7 Federal Issuance	Documentation to support “at least equal to” <i>(1) Submitted in 2006 and no change, (2) Revised or new documentation, or (3) not applicable</i>
FSIS Directive 5000.1, Rev. 2, Amendment 1, 07/18/06 Verifying an Establishment’s Food Safety System	
FSIS Directive 5000.2, 03/31/2004 Review of Establishment Data by Inspection Personnel	
FSIS Directive 5000.3, 12/21/2006 Identification and Segregation of Products	
FSIS Directive 5100.1, 09/30/05 Enforcement, Investigations, and Analysis Officer (EIAO) Comprehensive Food Safety Assessment Methodology	
FSIS Directive 5100.2, 10/4/05 Enforcement, Investigations, and Analysis Officer (EIAO) Responsibilities Related to Recalls and Consumer Complaints	
FSIS Directive 5100.3, Revision 1, 03/7/06 Administrative Enforcement Reporting (AER) System	
FSIS Directive 5220.1, 09/24/92 Granting, Refusing, Voluntary Suspension or Voluntary Withdrawal of Federal Inspection Service	
FSIS Directive 5220.3, 02/07/06 Issuance of a Ten-day Letter for Inactive Operations	
FSIS Directive 5400.5, 11/11/97 Inspection System Activities	

<p align="center">COMPONENT 2 - 7 Federal Issuance</p>	<p align="center">Documentation to support “at least equal to” (1) Submitted in 2006 and no change, (2) Revised or new documentation, or (3) not applicable</p>
<p>FSIS Directive 5500.2, 07/19/06 Non-Routine Incident Response</p>	
<p>FSIS Directive 5500.3, 07/19/06 Incident Investigation Team Reviews</p>	
<p>FSIS Directive 5500.4, 12/20/06 Products Intentionally Adulterated with Threat Agents</p>	
<p>FSIS Directive 5610.1, 08/08/05 Procedures to Implement the Consumer Complaint Monitoring System</p>	
<p>FSIS Directive 5930.1, Rev 3, 04/26/07 Custom Exempt Establishment Review Process</p>	
<p>FSIS Directive 6000.1, Revision 1, 08/03/05 Responsibilities Related to Foreign Animal Diseases (FADs) and Reportable Conditions</p>	
<p>FSIS Directive 6030.1, Revision 1, 08/10/05 Religious Exemption for the Slaughter and Processing of Poultry</p>	
<p>FSIS Directive 6040.1, 8/26/93 Disposition of Sheep and Their Carcasses Implanted with Electronic Identification Devices</p>	
<p>FSIS Directive 6120.1, 08/27/87 Finished Product Standards Program for the New Line Speed Inspection System and the Streamlined Inspection System</p>	
<p>FSIS Directive 6160.1, 03/10/00 Inspection Procedure for Lambs</p>	
<p>FSIS Directive 6210.1, 09/24/93 Post-Mortem Disposition of Poultry</p>	
<p>FSIS Directive 6210.2, Rev. 1, 5/3/05 Inspection of Poultry Feet that are Presented as Eligible to Receive the Mark of Inspection</p>	
<p>FSIS Directive 6240.1, 11/10/94 Bovine Mycobacteriosis (<i>M. bovis</i>) Disposition Guideline</p>	
<p>FSIS Directive 6330.1, 05/26/93 Carcass Spraying During Chilling</p>	
<p>FSIS Directive 6355.1, 09/23/96 Use of Chlorine Dioxide in Poultry Chill Water</p>	
<p>FSIS Directive 6400.1, 08/22/83 Fowl Ova</p>	

<p align="center">COMPONENT 2 - 7 Federal Issuance</p>	<p align="center">Documentation to support “at least equal to” <i>(1) Submitted in 2006 and no change,</i> <i>(2) Revised or new documentation, or</i> <i>(3) not applicable</i></p>
FSIS Directive 6420.2, 03/31/04 Verification of Procedures for Controlling Fecal Material, Ingesta, and Milk in Slaughter Operations	
FSIS Directive 6550.1, 12/09/93 Line Speeds for Heavy Young Chickens (Broilers, Roaster)	
FSIS Directive 6700.1, 11/27/02 Retained Water in Raw Meat and Poultry Products	
FSIS Directive 6810.2, Amendment 1, 03/13/86 Marking Carcasses and Products (Meat)	
FSIS Directive 6900.1, Revision 1, 11/02/98 Humane Handling of Disabled Livestock	
FSIS Directive 6900.2, Revision 1, 11/25/03 Humane Handling and Slaughter of Livestock	
FSIS Directive 7000.1, 12/11/06 Verification of Non-Food Safety Consumer Protection Regulatory Requirements	
FSIS Directive 7000.2, 07/01/04 Experimental and Sample Products Policy	
FSIS Directive 7110.1, 02/26/86 Guidelines for Specified Cuts of Poultry	
FSIS Directive 7110.2, Revision 1, 10/03/88 Update of Protein Fat Free (PFF) Instructions	
FSIS Directive 7110.3, Revision 1, 01/24/89 Time/Temperature Guidelines for Cooling Heated Products	
FSIS Directive 7111.1, 03/03/99 Performance Standards for the Production of Certain Meat and Poultry Products	
FSIS Directive 7120.1, 08/04/04 Amendment 1, 11/03/03 Amendment 2, 08/04/04 Amendment 3, 04/07/05 Amendment 4, 07/06/05 Amendment 5, 10/13/05 Amendment 6, 01/06/06 Amendment 7, 04/10/06 Amendment 8, 07/03/06 Amendment 9, 10/05/06 Amendment 10, 01/18/07 Amendment 11, 04/11/07 Safe and Suitable Ingredients Used in the Production of Meat and Poultry Products	
FSIS Directive 7124.1, 07/28/86 Standards of Identify or Composition--Use of Cooked or Cured Product	

<p align="center">COMPONENT 2 - 7 Federal Issuance</p>	<p align="center">Documentation to support “at least equal to” (1) Submitted in 2006 and no change, (2) Revised or new documentation, or (3) not applicable</p>
<p>FSIS Directive 7130.3, 02/22/92 Inspection Procedures for Fat and Added Water in Cooked Sausage</p>	
<p>FSIS Directive 7131.1, 01/08/86 Product Amenability</p>	
<p>FSIS Directive 7140.1, 07/17/90 Questions and Answers Relating to Ingredients that may be Designed As Flavors, Flavorings, Natural Flavorings in the Ingredients Statements on the Labels of Meat and Poultry Products</p>	
<p>FSIS Directive 7140.2, 09/10/90 Determining Added Water in Cooked Sausage</p>	
<p>FSIS Directive 7140.3, 02/14/95 Determining Added Water in Fresh Sausage</p>	
<p>FSIS Directive 7160.1, 09/13/96 Meat Produced by Advanced Meat/Bone Separation Machinery and Meat Recovery Systems</p>	
<p>FSIS Directive 7160.2 04/14/97 "Meat" Prepared using Advanced Mechanical Meat/Bone Separation Machinery and Meat Recovery Systems</p>	
<p>FSIS Directive 7160.3, Rev. 1, 08/25/03 Advanced Meat Recovery Using Beef Vertebral Raw Materials</p>	
<p>FSIS Directive 7220.1, 08/02/05 Food Labeling Division Policy Memoranda</p>	
<p>FSIS Directive 7221.1, 08/19/96 Prior Labeling approval</p>	
<p>FSIS Directive 7222.1 09/09/98 Inspection Requirements for Food and Nutrition Service In-Plant Control Program</p>	
<p>FSIS Directive 7235.1, 05/11/94 Mandatory Safe Handling Statements on Labeling of Raw and Partially Cooked Meat and Poultry Products</p>	
<p>FSIS Directive 7236.2, 08/08/94 Nutrition Labeling of Meat and Poultry Products</p>	
<p>FSIS Directive 7237.1 08/09/94 Labeling of Ingredients</p>	
<p>FSIS 7240.1, 12/20/91 Compliance Testing for Net Weight Labeling of Meat and Poultry Products</p>	
<p>FSIS Directive 7260.1 09/28/93 Questions and Answers--Nutrition Labeling of Meat and Poultry Products</p>	

<p align="center">COMPONENT 2 - 7 Federal Issuance</p>	<p align="center">Documentation to support “at least equal to” <i>(1) Submitted in 2006 and no change,</i> <i>(2) Revised or new documentation, or</i> <i>(3) not applicable</i></p>
FSIS Directive 7270.1 Revision 1, 08/13/98 Sampling and Testing Procedures for Raw Poultry Products Labeled "Fresh"	
FSIS Directive 7310.5, Revision 3, 05/30/90 Presence of Foreign Material in Meat or Poultry Products	
FSIS Directive 7310.6, 05/30/90 Bacon Yield Determinations	
FSIS Directive 7310.7, 06/29/87 Trichinae Control Requirements for Pork Used on Pizza	
FSIS Directive 7320.1, 04/27/93 Treatment of Certain Meat and Poultry Products Containing Pork to Destroy Trichinae	
FSIS Directive 7330.1, 02/24/93 Sampling Frequencies for Cooked Sausage Produced Under a Quality Control Program	
FSIS Directive 7355.1, Revision 2, 12/03/02 Use of Sample Seals for Program Samples and Other Applications	
FSIS Directive 7370.1, 04/26/94 Instructions for Verifying Internal Temperature and Holding Time of Meat Patties	
FSIS Directive 7370.2, 06/28/95 Compilation of Issuances on Cooked Meat and Poultry Product Temperatures	
FSIS Directive 7410.1, 07/01/93 Packaging Materials	
FSIS Directive 7410.2, 10/06/93 Packaging Materials Monitoring	
FSIS Directive 7520.2, 05/12/88 Procedures for Condition of Canned Product Container Examination	
FSIS Directive 7530.1, 11/10/94 Handling Process Deviations And Abnormal Container Incidents For Shelf-Stable Canned Products	
FSIS Directive 7530.2, 10/20/05 Verification Activities in Canning Operations that Choose to Follow the Canning Regulations	
FSIS Directive 7610.2, 10/05/94 Total Quality Control For Processing Operations	
FSIS Directive 7610.3, 07/16/87 Expanded Operating Schedules For Total Quality Control Establishments	
FSIS Directive 7620.3, Revised 1995 Processing Inspectors' Calculations Handbook	

<p align="center">COMPONENT 2 - 7 Federal Issuance</p>	<p align="center">Documentation to support “at least equal to” (1) Submitted in 2006 and no change, (2) Revised or new documentation, or (3) not applicable</p>
<p>FSIS Directive 7640.1, 10/30/97 Inspection Duties Related To Facilities And Equipment, And Plant Operated Quality Control Programs</p>	
<p>Note: The next 5 directives represent a transition phase; FSIS Directives 8010.1, 8010.2, 8010.3, 8010.4, and 8010.5. FSIS accepts the next year of implementation as a transition phase within the State MPI Programs.</p>	<p align="center">Submit documentation from the current system for the past 12 months.</p>
<p>FSIS Directive 8010.1 06/05/07 Methodology for Conducting In-Commerce Surveillance Activities</p>	
<p>FSIS Directive 8010.2 06/05/07 Investigative Methodology</p>	
<p>FSIS Directive 8010.3 06/05/07 Procedures for Evidence Collection, Safeguarding and Disposal</p>	
<p>FSIS Directive 8010.4 06/05/07 Report of Investigation</p>	
<p>FSIS Directive 8010.5 06/05/07 Case Referral and Disposition</p>	
<p>FSIS Directive 8040.1, 06/22/94 Reports of Apparent Violations</p>	
<p>FSIS Directive 8080.1, Revision 4, 05/24/04 Recall of Meat and Poultry Products Amendment 1, 07/29/04 Amendment 2, 07/26/05 Amendment 3, 03/02/06</p>	
<p>FSIS Directive 8100.1, Revision 1,04/02/93 Planned Compliance Program</p>	
<p>FSIS Directive 8110.1,10/22/91 Documentary and Other Nonmeat Evidence Collection and Chain of Custody in the Compliance Program</p>	
<p>FSIS Directive 8140.1, 06/12/04 Preparation and Submission of FSIS Form 8140-1</p>	
<p>FSIS Directive 8410.1, Revision 3, 06/05/07 Detention and Seizure</p>	
<p>FSIS Directive 8420.1, 11/07/85 Transportation Accidents</p>	
<p>FSIS Directive 8800.21, Revision 2, 08/02/91 Performance-Based Inspection System: Overview of Policies and Implementing Procedure</p>	
<p>FSIS Directive 10,000.1, 05/11/07 Policy On Use Of Results From Non-FSIS Laboratories</p>	

<p align="center">COMPONENT 2 - 7 Federal Issuance</p>	<p align="center">Documentation to support “at least equal to” (1) Submitted in 2006 and no change, (2) Revised or new documentation, or (3) not applicable</p>
<p>FSIS Directive 10,010.1, 03/31/04 Microbiological Testing Program for <i>Escherichia Coli</i> O157:H7 in Raw Ground Beef Products and Raw Ground Beef Components and Beef Patty Components <u>Questions and Answers on FSIS Directives 10,010.1, Revision 1, 5000.2, and 6420.2</u></p> <ul style="list-style-type: none"> • <u>Questions and Answers Regarding Directives 5000.2, 6420.2 and 10,010.1, Revision 1, and the Compliance Guidelines on <i>E. coli</i> O157:H7)</u> • <u>Workshops on <i>E. coli</i> O157:H7 Regulations</u> • <u>Compliance Guidelines For Establishments On The FSIS Microbiological Testing Program And Other Verification Activities For</u> 	
<p>FSIS Directive 10,011.1, 09/09/98 Enforcement Instructions for the <i>Salmonella</i> Performance Standards</p>	
<p>FSIS Directive 10,200.1, 07/19/00 Accessing Laboratory Sample Information via LEARN</p>	
<p>FSIS Directive 10,210.1, Amendment 1 06/10/99 Unified Sampling Form Amendment 2 12/12/01 Amendment 3 05/22/02 Amendment 4 12/19/02 Amendment 5 11/11/03 Amendment 6 12/18/03</p>	
<p>FSIS Directive 10,220.2, 04/09/96 Use of Cast and Fast Screening Tests for Bob Veal Calves</p>	
<p>FSIS Directive 10,220.3, 08/23/06 Using the Fast Antimicrobial Screen Test (FAST) to Detect Antimicrobial Drug Residues in Swine and Cattle</p>	
<p>FSIS Directive 10,230.1, 10/14/87 Species Identification Sampling for Cooked Product</p>	
<p>FSIS Directive 10,230.2, 08/06/92 Procedures for Collecting and Submitting Domestic Samples for Microbiological Analysis</p>	

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<p>FSIS Directive 10,230.5, 04/04/98 Self-Instruction Guide for Collecting Raw Meat and Poultry Product Samples for <i>Salmonella</i> Analysis</p>	
<p>FSIS Directive 10,230.6, 01/10/06 Submitting Tissue Specimens for Pathological or Diagnostic Microbiological Evaluation to the Laboratory</p>	
<p>FSIS Directive 10,240.4, Revision 1, 03/15/06 Verification Procedures for Consumer Safety Inspectors for the <i>Listeria monocytogenes</i> Regulation and Introduction of Phase 2 of the <i>LM</i> Risk-based Verification Testing Program</p>	
<p>FSIS Directive 10,240.5, 03/15/06 Enforcement, Investigations, and Analysis Officer (EIAO) Assessment of Compliance with the <i>Listeria monocytogenes</i> (<i>LM</i>) Regulation and Introduction of Phase 2 of the <i>LM</i> Risk-based Verification Testing Program</p>	
<p>FSIS Directive 10,520.1 08/07/89 Pumped Bacon Sampling Program--Nitrosamine Analysis</p>	
<p>FSIS Directive 10,600.1, 10/06/83 Sample Shipment Procedures</p>	
<p>FSIS Directive 10,610.1, 03/10/86 Procedures for Emergency Response Samples</p>	
<p>FSIS Directive 10,625.1, 02/26/86 Procedures for Evidentiary Samples</p>	
<p>FSIS Directive 10,700.1 06/24/03 Procedures for New Technology and Experimental Protocols for In-Plant Trials</p>	
<p>FSIS Directive 10,800.1 7/12/07 Procedures for Residue Sampling, Testing, and other Responsibilities for the National Residue Program</p>	
<p>FSIS Directive 12,600.1, Revision 1, Amendment 1, 01/18/07 Voluntary Reimbursable Inspection Services</p>	
<p>22-07, <u>Elimination of "Minimal" and "Limited" Inspection</u> Date Issued: April 11, 2007 Date Expires: May 1, 2008</p>	
<p>18-07 Routine Sampling of Beef Manufacturing Trimmings Intended for Use in Raw Ground Beef Date Issued: March 1, 2007 Date Expires: April 1, 2008</p>	

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<p><u>17-07, Follow-Up Sampling of Certain Raw Ground Beef Products after an FSIS Verification Sample Tests Positive for <i>E. coli</i> O157:H7</u> <u>Process Flow Chart for Follow-up Sampling (MT-52)</u> Date Issued: March 1, 2007 Date Expires: April 1, 2008</p>	
<p><u>15-07 Alternative Methods for Ensuring 12 Percent Lean Tissue in Meat Trimmings</u> Date Issued: Feb 27, 2007 Date Expires: March 3, 2008</p>	
<p><u>14-07 Importation of Canadian Cattle, Sheep, and Goats into the United States</u> Date Issued: Feb 26, 2007 Date Expires: March 1, 2008</p>	
<p><u>13-07 Availability of Questions and Answers Regarding Red Meat Slaughter Operations</u> Date Issued: Feb 22, 2007 Date Expires: March 1, 2008</p>	
<p><u>11-07 Continuation of Interim Period for Voluntary Inspection and Certification of Natural Casings</u> Date Issued: Feb 15, 2007 Date Expires: March 1, 2008</p>	
<p><u>10-07, Instructions for Verifying the Proper Removal of Visible Beef Tonsillar Material from Tongues by Use of Skinning Machines Supplementary Images</u> Date Issued: Feb 9, 2007 Date Expires: Feb 1, 2008</p>	
<p><u>08-07, Sample Collection From Cattle Under the Bovine Spongiform Encephalopathy (BSE) Ongoing Surveillance Program</u> Date Issued: Feb 2, 2007 Date Expires: March 1, 2008</p>	

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<p><u>05-07, Revised Documentation Related To Specified Risk Materials (SRMs) and Other Regulations</u> Date Issued: Jan 23, 2007 Date Expires: Feb 1, 2008</p>	
<p><u>86-06, Operations Occurring Outside Approved Hours</u> Date Issued: Dec 20, 2006 Date Expires: Jan 1, 2008</p>	
<p><u>83-06, Performance-Based Inspection Systems (PBIS) Version 5.1.6</u> Date Issued: Dec 5, 2006 Date Expires: Jan 1, 2008</p>	
<p><u>80-06, Notice of Availability of Questions Frequently Asked by Small and Very Small Plants</u> Date Issued: Nov 21, 2006 Date Expires: Dec 1, 2007</p>	
<p><u>79-06, Clarification Regarding Appropriate Use of the Content of FSIS Workforce Training Materials in Relation to Policy and Validation</u> Date Issued: Nov 21, 2006 Date Expires: Dec 1, 2007</p>	
<p><u>75-06, Verification Instructions for Changes in Label Requirements for Uncooked and Raw, Frozen, Breaded, Boneless Poultry Products</u></p> <ul style="list-style-type: none"> • <u>Labeling Policy Guidance - Uncooked, Breaded, Boneless Poultry Products Letter to Industry Regarding Frozen Uncooked Poultry</u> • <u>Supplemental Q and A's to Address Products Affected by FSIS Notice 75-06 Verification Instructions for Changes in Label Requirements for Uncooked and Raw, Frozen Breaded, Boneless Poultry Products</u> <p><u>Information on Validation of Labeled Cooking Instructions for Products Containing Raw or Partially Cooked Poultry</u></p> <p>Date Issued: Nov 13, 2006 Date Expires: Dec 1, 2007</p>	

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<p><u>73-06, Elimination of the Pizza with Meat or Sausage Standards: Expiration of the need to Include the Percent Meat/Poultry Component on the Labeling of Pizza Products</u></p> <p>Date Issued: Nov 1, 2006 Date Expires: Nov 1, 2007</p> <p><u>70-06, Availability of Commonly Asked Questions Regarding Corrective Actions</u></p> <p>Date Issued: Oct 23, 2008 Date Expires: Nov 1, 2007</p>	

* Note: In the coming year the Office of Policy, Program, and Employee Development will develop more specific decision making criteria for determining which FSIS issuances must be implemented with limited flexibility versus those that can be implemented by an awareness stand point by the States.