

FSIS DIRECTIVE

8420.1

11-7-85

TRANSPORTATION ACCIDENTS

I. PURPOSE

This Directive prescribes the procedures for reporting transportation accidents outside official establishments involving federally inspected and passed meat and poultry products.

II. (RESERVED)

III. REASON FOR ISSUANCE

To provide Agency policy concerning the responsibilities of inspection and compliance officials regarding transportation accidents where federally inspected and passed meat and poultry products may have become contaminated. Recent litigation indicates that when inspectors are present at accident sites, the Agency assumes a legal responsibility for the subsequent condition of the product.

IV. REFERENCES

The Federal Meat Inspection Act and the Poultry Products Inspection Act.

V. FORMS AND ABBREVIATIONS

The following will appear in their shortened form in this Directive.

FMIA Federal Meat Inspection Act
PPIA Poultry Products Inspection Act

VI. POLICY

A. General. Under the FMIA and PPIA and current FSIS regulations, inspection personnel have authority to inspect and pass or condemn meat and poultry products at federally inspected establishments only. Meat and poultry products at locations other than federally inspected establishments may be officially detained under certain circumstances by compliance officials and, when necessary, seized pursuant to court order due to violation of the FMIA or PPIA.

B. Transportation Accidents. The following actions will be taken when reports are received by any program personnel concerning transportation accidents involving federally inspected and passed meat and poultry products:

1. The caller may be referred to the closest Compliance Program office, or, if appropriate, pertinent information may be recorded and reported promptly to a Compliance Program official for response. Such information shall include:

- a. Name and phone number of person reporting the accident.
- b. Date, time, and location of the accident.
- c. Carrier's name, address, phone number, and name of responsible person.
- d. Shipper's name, address, phone number, and name of responsible person.
- e. Original destination.
- f. New destination.
- g. Product description and amount (piece count, and/or container count and weight) and reported condition.
- h. Identification of conveyance (such as trailer number and license number) used to transport product to final destination.

2. Compliance officials will monitor the subsequent movement of the product to assure reinspection in an official establishment or other appropriate disposition.

3. Inspectors will not be present at accident sites unless their assistance is expressly requested by a Compliance Program official through the normal supervisory chain.

/s/ R. J. Prucha

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