

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

FSIS NOTICE	38-09	5/4/09
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**VERIFICATION OF CARCASSES THAT AN ESTABLISHMENT
FURTHER PROCESSES WITHOUT AN OFFICIAL INSPECTION LEGEND**

I. PURPOSE

This notice reissues instructions found in FSIS Notice 35-08. This notice provides inspection program personnel with clarification related to establishments that elect not to have the mark of inspection applied to carcasses that will remain in the facility for further processing.

II. BACKGROUND

Livestock slaughter and processing systems have changed over the years. Most establishments that slaughter swine or cattle also fabricate the carcasses within the establishment into various primals, subprimals, trimmings, and other meat products. The establishment then ships the parts or products, rather than marked carcasses, in fully labeled containers for further processing at other establishments.

9 CFR 316.9(a) requires that carcasses bear the mark of inspection following inspection on the slaughter floor. Some establishments have requested, however, that carcasses that they further process within the establishment not be marked following inspection. FSIS has granted these requests on a case-by-case basis, provided that the establishment maintains appropriate controls on the carcasses.

The Agency intends to revise its regulations to remove the requirement that carcasses bear the mark following inspection on the slaughter floor if the carcass is to be further processed in the establishment. Pending this rulemaking, inspection program personnel are to allow inspected and passed carcasses to leave the slaughter floor without being marked if:

1. the establishment requests that they not be marked;
2. the establishment further processes the unmarked carcasses at the establishment; and
3. the establishment maintains control of the carcasses in the manner described in part III of this notice.

DISTRIBUTION: Electronic

NOTICE EXPIRES: 6/1/2010

OPI: OPPD

If the establishment ships carcasses after slaughter without further processing at the establishment, inspection program personnel are to verify the mark of inspection is applied to the carcasses:

1. in most cases, before they leave the slaughter floor; or
2. in rare instances, before they leave the establishment. In this situation, the establishment may hand apply the mark after it has left the slaughter floor.

III. VERIFICATION OF UN-MARKED CARCASSES

A. If an establishment that further processes carcasses within the establishment requests that the carcasses not be marked following inspection on the slaughter floor, then inspection program personnel are to verify that the establishment has procedures in its HACCP plan or Sanitation SOP or other prerequisite program to ensure that unmarked carcasses are processed in the establishment, and that carcasses that are not further processed in the establishment do not leave the establishment unmarked.

B. Inspection program personnel are to verify through records review or direct observation (see FSIS Directive 5000.1) that the establishment's procedures ensure that:

1. the establishment properly identifies, handles, and removes from edible channels carcasses not eligible for the mark of inspection, so that only edible, inspected and passed product goes for fabrication;
2. retained carcasses or parts not eligible to bear the mark of inspection remain under FSIS control until the establishment effects corrections that will render the carcass or part eligible to bear the mark (e.g., carcasses retained for residue sample in cages in the cooler); and
3. whole carcasses transported to another establishment bear the mark of inspection.

Refer questions to the Policy Development Division at 1-800-233-3935 or submit your questions through *askFSIS* at <http://askfsis.custhelp.com>.



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