

I. Introduction

This position is assigned to a District Office, Office of Field Operations (OFO). OFO administers an integrated, nationwide program of inspection and enforcement of the systems of commercial establishments producing, meat, poultry, and egg products to determine their compliance. OFO also coordinates all Agency activities relating to the recall of meat, poultry, and egg products due to potentially contaminated, adulterated, or misbranded products, including providing any necessary fact-finding and follow-up associated with recalls. In addition OFO assists the Office of Public Health and Science (OPHS) by collecting necessary facts and information associated with consumer complaints regarding potentially unsafe meat, poultry, and egg products or other public concerns.

The incumbent serves as a Consumer Safety Officer (CSO) in a defined geographic area and conducts onsite food safety and other consumer protection verification activities associated with systems of commercial establishments operating under a grant of Federal inspection. The incumbent also conducts investigations and analysis regarding administrative or civil enforcement matters pertaining to commercial establishments operating under a grant of Federal inspection, including collecting necessary information pertaining to recall activities, consumer complaints, or other public health concerns. The incumbent's duties and responsibilities primarily focus on regulatory requirements regarding the Agency's Hazard Analysis and Critical Control Point (HACCP) systems, Standard Sanitation Operating Procedures (SSOP) regulations, and in-plant food safety issues.

II. Duties

On-site Assessment Duties:

Provides Agency verification in official establishments focusing on the design of establishment systems. Before going onsite, obtains all information available at the field or district level by computer or other means. This includes historical compliance information, scientific test data, consumer complaints, or other relevant farm-to-table data available within the district or on a national basis.

Upon initial visit to an establishment, reviews plant control plans with inspector, the establishment's management and technical or scientific staff (e.g., microbiologists, chemists, or food technologists).

Performs a complete assessment of the design of a plant's control systems individually, and then makes an overall, integrated food safety assessment of the establishment and its products. These systems include HACCP (which includes the plant's written plan and its monitoring, verification, record keeping, corrective/preventive measures and reassessment), SSOP procedures (monitoring, corrective/preventive measures, and evaluation), generic *E.coli* procedures, and *Salmonella* data.

This comprehensive assessment involves consideration of all food safety aspects from farm to table relating specifically to the establishment and its products. These include the nature and sources of all items coming into the establishment, and the products, processes, and environment within the establishment, including the facilities and equipment. Further, these include chemical, microbiological, and physical hazards, and the hazards specific to each of the establishment's products that are inherent in the distribution systems. The incumbent has no direct involvement in pre- and post-processing establishment activities. However, in order to make an overall determination that the establishment itself is meeting its responsibilities for producing safe food, the incumbent must apply knowledge of industry practices and food safety issues in each of these non-plant environments insofar as they may affect the safety of the plant's products. Prepares assessment reports explaining the plant's control systems on initial visits, and collects documents and information to demonstrate how they work. On subsequent visits, prepares summary reports documenting changes in the control systems, and prepares more detailed reports if there are substantial changes in these systems.

Identifies and evaluates conditions affecting the growth of microorganisms. Assesses the statistical validity of the plant's microbiological sampling plans and their monitoring procedures. Reviews the establishment's laboratory analytical methods (or records relating to the contractor's methods) and confirms that they are as stated in the plans and appropriate to the plant's products and processes. As appropriate, observes the plant taking product and environmental samples and sends the samples to a laboratory for verification analysis. As appropriate, collects and submits sample for analysis- either of the product or environment.

Explains or discusses from a food safety perspective, specific chemical, microbiological, laboratory analysis, and technological aspects of records, processes, control systems and test data as well as related industry practices with establishment scientific and technical staff and employees, supervisors, and managers. Uses considerable tact and persuasiveness to obtain the necessary documentation and information to assess compliance, and to negotiate voluntary compliance actions with plant managers who are not always fully cooperative.

Determines relevance of data and documentation identified in establishment plans and records, including laboratory test data, and observed activities for compliance with the provisions of laws, regulations, and programs of the Agency, with particular emphasis on food safety, and provides information to District Office.

The incumbent determines if a plant's proposed written corrective action addresses critical limit deviations, direct product contamination/adulteration, is scientifically sound, and complies with regulatory requirements. He/she advises the District Office of his/her determination and initiates appropriate enforcement action. Potential criminal cases will be referred to the appropriate officials in the Office of Program Evaluation, Enforcement, and Review (OPEER). Includes in reports summaries of satisfactory voluntary corrective actions negotiated with plant management, and includes more detail and documentation where the voluntary corrective actions are not clearly and fully satisfactory. Provides very thorough reports and documentation to provide useful and complete evidence when cases have the potential to be referred for legal action. Decides whether there is a need to collect expensive or difficult to

obtain evidence and documentation, and determines when the evidence and documentation gathered are sufficient.

Investigations

Conducts complex inquiries into alleged or apparent irregularities associated with in-plant administrative or civil enforcement matters, in particular those related to the safety of meat, poultry, and egg products produced at official establishments. In the course of these inquiries, collects evidence and testimony to support the basis for the District Office issuing a Notice Of Intended Enforcement (NOIE) to an establishment operating under a grant of Federal inspection, suspending the assignment of FSIS inspectors at the plant, and which, as necessary, would be used in formal administrative or civil proceedings. As such, the testimony and evidence collected must be admissible at hearings held before USDA Administrative Law Judges or in Federal court proceedings.

Prepares reports of investigative findings concerning violations of the Federal Meat Inspection Act (FMIA), Poultry Products Inspection Act (PPIA), and Egg Products Inspection Act (EPIA) and associated regulations and advises the District Office of his/her determinations. Makes recommendations to the District Office regarding what type of enforcement action is necessary, and assists the District Office in the preparation of enforcement related documentation, such as notices of intended enforcement, suspension letters, deferral letters and letters of warning. Ensures that enforcement notices and letters adhere to FSIS' enforcement policies and procedures and the Agency's Rules of Practice.

Analysis

Based on his or her knowledge of regulatory requirements associated with HACCP, sanitation, and plant microbiological verification sampling strategies, conducts a comprehensive analysis of the corrective action submitted by plant officials in response to notices of intended enforcement and suspension actions. Evaluates the relevance of data and documentation identified in establishment plans and records, including laboratory test data. Determines if a plant's proposed written corrective action adequately addresses the noncompliance discovered during the course of an investigation.

Serves as team leader regarding the analysis of an establishment's reply. Coordinates the joint review of information by the team which may consist of other District Office personnel such as Consumer Safety Officers, Consumer Safety Inspectors, Frontline Supervisors, District Office staff personnel, Technical Service Center employees, OPHS scientific personnel (typically microbiologist or chemists) and Office of Policy and Program Development (OPPD) employees involved in the technical and scientific review of a plant's reply. Provides recommendations to the District Office regarding the adequacy of the plant's response and additional information needed to make a determination.

Recall Activity

Provides assistance to Agency officials regarding recall activities and coordinates District Office participation in recalls. Obtains information from plant officials and FSIS inspection personnel regarding the potential adulterated or misbranded product at issue and communicates with the District Office and the Recall Management Staff regarding the findings. Collects records and information (such as SSOP and HACCP records, processing records, product formulations, lot sizes and product amounts, and production dates, packing type and size, distribution records) associated with the product at issue. Assures that accurate and timely information is provided to the District Office and recall staff.

Participates as a member of the recall committee and assists in determining the necessity of initiating recall proceedings. Based on his or her evaluation and analysis of the facts, provides recommendations regarding the appropriate recall classification (e.g. class 1, class 2, or class 3 recalls). Once a voluntary recall has been initiated by a company, determines the number of “effectiveness checks” necessary to ensure that firms and businesses make all reasonable efforts to retrieve the recalled meat, poultry, or egg products. Conducts such effectiveness checks and prepares a summary report of findings. As needed, assists other agency officials in reviewing letters or other documents that summarize the basis for recall activities and outcomes.

Other Enforcement Activities

Assists OPHS officials by investigating consumer complaints or collecting information related to other public health matters. Responds to consumer complaints concerning meat, poultry, or egg products, collects key information requested by OPHS officials, and enters findings in the Consumer Complaint Monitoring System (CCMS) database. Obtains complete facts related to the complaints and submits the information to the District Office and other agency officials through supervisory channels. Through supervisory channels, correlates with OPHS officials regarding investigative findings and observations.

As necessary, monitors and/or controls meat, poultry, and egg products believed to be adulterated, misbranded, or otherwise in violation of the laws and regulations. For example, initiates product detentions concerning adulterated product discovered while collecting recall information or against product previously retained at an official establishment that has not been properly handled by plant officials. Collects and forwards through supervisory channels the evidence that supports the initiation of further action, such as evidence that would form the basis for a formal injunction or seizure action.

Uses considerable tact and persuasiveness to obtain necessary information and to negotiate the voluntary release of records and information by industry officials, especially with those who are not always fully cooperative.

Responds to queries, appeals, and complaints from industry, regarding enforcement matters, especially those associated with in-plant scientific and technical matters. Maintains contacts with District officials regarding ongoing enforcement actions. Represents the District

Office in developing and maintaining solid, working relationships with other Agency programs and other governmental entities.

Through supervisory channels, refers potential criminal violations or information to support the denial or withdrawal of Federal inspection to an applicant or recipient. These referrals would be to other FSIS enforcement officials, for example, Compliance Officers (Program Investigators) in the Compliance and Investigations Division, OPEER. Maintains liaison with attorneys of USDA's Office of General Counsel, U.S. Attorneys, and court officials pertaining to legal proceedings associated with administrative and civil actions. Also, maintains liaison and collaborates with appropriate State, and local authorities and industry officials, and representatives of other Federal agencies food safety matters.

Small Business Regulatory Enforcement and Fairness Act (SBREFA) Duties:

Under SBREFA, supports in-plant food safety and inspection activities and helps small and very small establishments to identify resources for the design and implementation of HACCP plans, SSOP's, *E.coli* testing plans, and microbiological control strategies.

III. Supervisory Controls

The incumbent is under the direct supervision of a Frontline Supervisor or Deputy District Manager. The supervisor provides general guidance regarding objectives and priorities, and the incumbent completes work independently. The supervisor reviews work only for conformance with general program policies and soundness of judgment, not generally for technical accuracy which is assumed. The incumbent resolves most investigative problems encountered, referring only the most sensitive or controversial matters such as potential criminal violations to the supervisor. The incumbent is often required to develop new approaches or methodologies to in-plant assessments, investigations, or enforcement actions, in the absence of clear guidelines or policy. The supervisor generally accepts the incumbent's recommended changes or modifications in assessment or investigative approaches.

IV. Other Considerations

The incumbent applies a knowledge of and adheres to Agency civil rights policies, goals, objectives, and the philosophy of valuing diversity in performing everyday duties and responsibilities. The incumbent contributes to a productive and nondiscriminatory work environment through written and oral communications and interpersonal relations. In addition, the incumbent avoids offensive or discriminatory displays (e.g., posters, pictures), language, or nonverbal behavior (e.g., hand gestures).

Maintains an awareness of current scientific and technological research findings, and of food safety-related trends and practices throughout the district and nationally, and applies this awareness in performance of assignments.

The incumbent may be asked to serve as a team leader of an investigation or to advise Consumer Safety Inspectors and other Agency personnel on technical enforcement matters. As the Agency representative for consumer safety matters in an assigned geographic area, the incumbent is also responsible for independently maintaining relationships with representatives from a variety of state and local agencies, other Federal agencies, and industry and consumer organizations. Finally, the incumbent is expected to have an in-depth and current knowledge of the latest developments in food processing, manufacturing practices, statistical process control, microbiological testing, laboratory analytical procedures, and other technical areas that might affect food safety.

Visits to meat and poultry processing operations, custom exempt establishments, and warehouses require: long periods of walking and standing, including walking around moving machinery and plant employees using sharp instruments, over uneven, slippery, wet, or frozen surfaces; climbing stairs and ladders; stooping and bending; and exposure to extreme temperatures, to review conditions, products, records, and facilities. While working within establishments, CSO's are required to wear prescribed protective equipment and adhere to noise level requirements.

The position requires possession of a valid motor vehicle operator's license, and will be in a travel status approximately 50 percent of the time. The work requires the ability to lift up to 40 pounds and pass a pre-employment physical examination.