

FSIS DIRECTIVE

14,000.1
Revision 1

10/3/22

CONSUMER SAFETY INSPECTOR RESPONSIBILITIES AT FISH ESTABLISHMENTS

I. PURPOSE

A. This directive instructs Consumer Safety Inspectors (CSIs) on how to verify regulatory compliance at official establishments that prepare (slaughter or process) fish of the order Siluriformes. This includes all establishments that prepare farm-raised or wild-caught fish. This directive has been updated to remove previous instructions regarding the initial transition to FSIS jurisdiction and to include additional instructions on how to verify labeling compliance regarding fish species.

B. In this directive, the term “fish” refers to fish of the order Siluriformes and products derived from these fish. For guidance on acceptable common or usual names, see the [Inspection of Siluriformes](#) web page. To find this information, select the green Jurisdiction bar on this page to expand the section.

KEY POINTS:

- *Siluriformes fish are considered meat and are amenable to the Federal Meat Inspection Act*
- *CSIs assigned to establishments that prepare fish are to verify that establishments comply with all applicable regulatory requirements*
- *CSIs are to verify that fish are accurately labeled, regarding the fish species, when they perform the Public Health Information System (PHIS) Labeling – Product Standards task*
- *Specific instructions for sampling are described in [FSIS Directive 14,010.1](#), *Siluriformes Sampling in Domestic Establishments**

II. CANCELLATION

FSIS Directive 14,000.1, *Consumer Safety Inspector Responsibilities at Fish Establishments*, 8/17/2017

III. BACKGROUND

A. The final rule “Mandatory Inspection of Fish of the Order Siluriformes and Products Derived from Such Fish” ([80 FR 75590](#)) amended the Agency’s regulations to establish a mandatory inspection program for fish of the order Siluriformes, whether farm-raised or wild-caught, and for products derived from these fish. The final rule explains that, because these fish are amenable to the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601(w)(2)), this new fish inspection program is part of FSIS’s meat inspection program.

The following sections of the FMIA do not apply to fish:

1. Ante-mortem and post-mortem inspection (21 U.S.C. [603](#) and [604](#));
 2. Humane slaughter (21 U.S.C. [603\(b\)](#) and [610\(b\)](#));
 3. Inspection of carcasses and parts before their entry into establishments or further-processing departments (21 U.S.C. [605](#)); and
 4. The exemptions from inspection for personal use, custom, and on-farm slaughter and processing (21 U.S.C. [623](#)).
- B. This final rule defines the term “catfish” to apply exclusively to fish of the family Ictaluridae under the order of Siluriformes. All other fish species are restricted from being labeled as “catfish.” FSIS will conduct speciation verification of raw fish at official fish establishments to ensure the product is not misbranded. FSIS will perform product sampling when CSIs are not able to confirm the species based on visual inspection.

IV. INSPECTION IN OFFICIAL ESTABLISHMENTS THAT PREPARE FISH

- A. The CSI is to perform inspection verification tasks during each operational shift and any inspection activities requiring overtime inspection are to be conducted as set out in [FSIS Directive 12.600.2](#), *Reimbursable Overtime Inspection Services for Meat, Poultry, and Egg Products*.
- B. The CSI is to follow the instructions in pertinent directives to perform inspection verification tasks. In general, the CSI is to perform, in the same manner for fish, the same inspection verification tasks that apply to meat (e.g., Hazard Analysis and Critical Control Point (HACCP), Sanitation Standard Operating Procedures (Sanitation SOPs), Sanitation Performance Standards, Hazard Analysis Verification, Economic/Wholesomeness). For example, the CSI is to follow the instructions in [FSIS Directive 5000.1](#), *Verifying an Establishment’s Food Safety System*, to verify HACCP, Sanitation SOPs, and Sanitation Performance Standards requirements and [FSIS Directive 7000.1](#), *Verification of Non-Food Safety Consumer Protection Regulatory Requirements*, to verify non-food safety consumer protection regulatory requirements.
- C. The CSI is to follow the instructions in [FSIS Directive 5300.1](#), *Managing the Establishment Profile in the Public Health Information System*, to maintain the establishment profile information.
- D. When performing the Sanitation and HACCP verification tasks, the CSI is to document the specific regulations in 9 CFR parts 416 and 417 and, as applicable, the regulations specific to fish (9 CFR parts 530 through 555).
- E. The CSI is to be aware that not all meat regulations apply to fish. The CSI is to verify ONLY whether the establishment meets those meat inspection regulations cross-referenced in 9 CFR parts 530 through 555. The CSI is not to verify whether the establishment meets regulations that are not referenced in the fish regulations. The CSI is not to verify whether the establishment meets any poultry regulations.
- F. When performing the Pre-Op Sanitation SOP Review and Observations task in fish processing operations, the CSI is to follow the instructions in [FSIS Directive 5000.4](#), *Performing the Pre-Operational Sanitation Standard Operating Procedures Verification Task*.
- G. When performing the Review of Establishment Data task, the CSI is also to review any establishment records that pertain to pre-harvest standards and transportation to processing establishments ([9 CFR part 534](#)), in addition to the HACCP records described in [FSIS Directive 5000.2](#), *Review of Establishment*

Data by Inspection Program Personnel. These may include water quality records for ponds and other waters where fish are harvested, and pond treatment records (e.g., chemicals or drugs). CSIs that have concerns that these records demonstrate that fish were raised under conditions that may result in adulterated or unwholesome product (e.g., evidence of heavy metals, pesticides, fertilizers, industrial chemicals or drugs) should verify that the establishment took appropriate action in accordance with their HACCP system. The CSI is to consider how the establishment controls chemical hazards at fish receiving (e.g., HACCP critical control point or pre-requisite program) and whether the establishment implemented those controls. If the CSIs have questions about the records or whether a situation demonstrates noncompliance, they should seek guidance on the matter through their supervisory chain of command.

H. The CSI is to follow the instructions in [FSIS Directive 5420.1](#), *Food Defense Tasks and Threat Notification Response Procedures for the Office of Field Operations*, to perform one comprehensive food defense task per quarter. The CSI is to observe as many food-defense practices as possible, but is not expected to walk or drive around the waters where fish are raised (e.g., ponds, raceways, or other bodies of water), even if such bodies of water are on the establishment premises. When completing task question 1 in the Food Defense task, the CSI is to consider whether the establishment has procedures in place to prevent unauthorized access to the ponds or raceways that are located on the establishment premises. If the CSIs do not know the answer to a question, they are to discuss the question with establishment management at a weekly meeting. Additional information on food defense practices that are specific to fish establishments can be found in the Food Defense Guidelines for Siluriformes Fish Production and Processing. To find this information, go to the [Inspection of Siluriformes](#) web page and select the green Food Defense bar to expand the section.

I. The CSI is to perform Other Inspection Requirements verification tasks to determine whether the establishment adequately disposes of diseased or otherwise adulterated fish carcasses and parts (9 CFR [539.1](#)), as well as dead fish that exhibit signs of disease, spoilage, or decomposition (9 CFR [540.1](#)).

1. The task location depends on the points in the process where the establishment examines whole fish and fish products for quality or acceptability. This may include various points in the process, such as initial sorting of live fish, or after evisceration of whole fish, or after the fillet, trim, and cut-up processes.
2. The CSI is to verify establishment control for the following conditions:
 - a. Abscesses, sores, ulcers, cysts, nodules, or encapsulated worms;
 - b. Red spots (petechial hemorrhages) covering more than 50 percent of the tissue;
 - c. Evidence of spoilage or decomposition in whole fish or processed product (e.g., off odor, slimy tissue, brown to yellowish-gray color);
 - d. Unusual gross deformities caused by disease or chemical contamination; and
 - e. Disease, spoilage, or decomposition of dead fish arriving at the establishment.

NOTE: The CSI is to be aware that fish that die on the way to the establishment and are received with live fish are not subject to condemnation, unless they are in a diseased or spoiled state. For example, dead fish that arrive on ice in a fishing vessel or other means of conveyance are not subject to condemnation unless they are decomposed or exhibit signs of disease or spoilage.

3. The CSIs are to document noncompliance when they observe loss of process control. This includes conditions, as identified in 2 above, that are severe or numerous enough to affect the usability of the product. When the CSI identifies multiple, recurring instances that demonstrate loss

of process control and the establishment's failure in quality procedures to discard fish or fish products that exhibit these conditions, the CSI is to cite:

- a. 9 CFR [539.1](#) for conditions described in 2. a. through d. above; or
 - b. 9 CFR [540.1](#) for dead fish that exhibit disease, spoilage, or decomposition; and
 - c. 9 CFR [301.2\(3\)](#) because the product is unfit for human food.
4. Infrequent incidences of disease, spoilage or decomposition on individual fish or fish products would not demonstrate noncompliance.

J. The CSI is to perform the PHIS Labeling – Product Standards task to determine whether the establishment accurately labels fish of the order Siluriformes, such as catfish. As part of this task, the CSI is to visually examine whole fish, at least once per quarter, in establishments that receive whole fish to verify the fish species. The location to perform this part of the task is where the CSI can safely examine whole fish prior to head and skin removal. The CSI is to:

1. Refer to [JPP Help](#) → [Catfish Basics](#) → [Catfish Speciation](#) for information and illustrations about how to visually identify fish as either channel catfish, blue catfish, or a hybrid of the two.
2. Be aware that fish in the order Siluriformes are bony, ray-finned, lack scales, lack intermuscular bones, and most possess long barbels, which resemble cat's whiskers. Most have a heavy, bony head and a cylindrical body with a flattened belly to allow for feeding at the bottom of a pond. They generally have a large mouth that can expand. Most do not have teeth. These fish may have up to four pairs of barbels. The eyes are generally small. Almost all have a strong, hollow, bony, leading spine-ray on their dorsal and pectoral fins, which is used for defense.

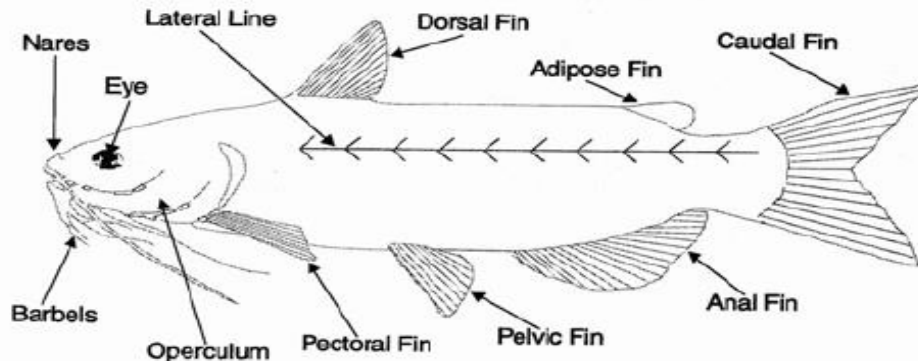


Figure 1 – Siluriformes External Anatomy

3. Be aware that only Siluriformes fish of the family Ictaluridae may be labeled as catfish. The most common species in this family are channel catfish, blue catfish, or a hybrid of the two. The illustrations below show a channel catfish, *Ictalurus punctatus*, and a blue catfish, *Ictalurus furcatus*.



Figure 2 – Channel Catfish



Figure 3 – Blue Catfish

4. Observe whole fish in receiving or holding areas, cages, or pools prior to fish preparation, such as head removal and skinning, and look for:
 - a. Fish that do not appear to be of the order Siluriformes and the establishment plans to label the fish with one of the common or usual names of such fish; or
 - b. Fish, whose characteristics do not match the visual descriptions for catfish above and the establishment plans to label the fish as catfish, including channel catfish or blue catfish.
5. When the CSI observes the conditions in a. or b. above, they are to:
 - a. Collect samples for speciation testing, as instructed in [FSIS Directive 14,010.1](#), and retain affected products pending test results; and
 - b. Issue a noncompliance record, using the PHIS Labeling – Product Standards task, and cite [9 CFR 541.7](#), when the sample result confirms the products are not fish of the order Siluriformes or not catfish, when the products are labeled as catfish.

K. In establishments that further process fish, but do not receive whole fish, CSIs are to perform a directed PHIS Labeling – Product Standards task, and create and perform an inspector-generated sampling task when they have concerns that fish are mislabeled (e.g., an establishment labels product as catfish when labels on fish at receiving or other evidence raises concerns about whether the product is

catfish), and retain affected products pending test results. See [FSIS Directive 14.010.1](#), for information about collecting samples for fish speciation testing.

L. The rules of practice apply to fish inspection actions (9 CFR part [561](#)).

M. The CSI is to follow the sampling instructions in [FSIS Directive 14010.1](#) for residue testing.

V. SUPERVISORY RESPONSIBILITIES

A. Supervisory personnel are to assist CSIs in matters involving the verification of regulatory compliance in establishments that process fish.

B. Supervisory personnel are to ensure that CSIs make informed regulatory decisions consistent with statutory authority, properly document inspection findings, and take appropriate actions to prevent adulterated or misbranded fish product from entering commerce.

VI. QUESTIONS

Refer questions regarding this directive to your supervisor or, if needed to the Office of Policy and Program Development through [askFSIS](#), or by telephone at 1-800-233-3935. When submitting a question, complete the [web form](#) and select General Inspection Policy for the inquiry type.

NOTE: Refer to [FSIS Directive 5620.1](#), *Using askFSIS*, for additional information on submitting questions.



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