

Appendix J

FINAL REPORT

Fiscal Year 2023

Louisiana

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Federal-State Audit Staff
Office of Investigation, Enforcement and Audit
Food Safety and Inspection Service
U.S. Department of Agriculture

Executive Summary

This report describes the outcome of the annual review of the Louisiana Department of Agriculture and Forestry (LDAF), conducted by the U.S. Department of Agriculture's (USDA) Food Safety and Inspection Service (FSIS) for fiscal year 2023. The purpose of this review is to: (1) verify the State of Louisiana imposes laws, regulations, and related policies with authorities and requirements "at least equal to" those provided by the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601, et seq.) and Poultry Products Inspection Act (PPIA) (21 U.S.C. 451, et seq.); (2) determine whether Louisiana administers a State meat and poultry inspection (MPI) program capable of ensuring meat and poultry products produced, distributed, and sold within the State are safe, wholesome, unadulterated, and properly labeled; and (3) confirm the State MPI program carries out its regulatory oversight activities effectively and efficiently.

The annual review focused on all nine "at least equal to" components: (1) Statutory Authority and Food Safety Regulations; (2) Inspection; (3) Sampling Programs; (4) Staffing, Training, and Supervision; (5) Humane Handling; (6) Compliance; (7) Laboratory Methods and Quality Assurance Program; (8) Civil Rights; and (9) Financial Accountability. This year, FSIS reviewed only the self-assessment documentation submitted by Louisiana to determine whether the State maintains and enforces requirements for an MPI program "at least equal to" the Federal requirements.

An analysis of the findings within each component did not identify any systemic findings that may pose an immediate threat to public health.

Based on thorough evaluations of the review results, FSIS determined that LDAF continues to operate a meat and poultry inspection program "at least equal to" the Federal requirements.

TABLE OF CONTENTS

I. INTRODUCTION	1
II. OBJECTIVE, SCOPE, AND METHODOLOGY	1
III. BACKGROUND.....	1
IV. COMPONENT 1: STATUTORY AUTHORITY AND FOOD SAFETY REGULATIONS	3
V. COMPONENT 2: INSPECTION	4
VI. COMPONENT 3: SAMPLING PROGRAMS	6
VII. COMPONENT 4: STAFFING, TRAINING, AND SUPERVISION	7
VIII. COMPONENT 5: HUMANE HANDLING	7
IX. COMPONENT 6: COMPLIANCE.....	9
X. COMPONENT 7: LABORATORY METHODS AND QUALITY ASSURANCE PROGRAM	10
XI. COMPONENT 8: CIVIL RIGHTS	11
XII. COMPONENT 9: FINANCIAL ACCOUNTABILITY	12
XIII. DETERMINATION FOR LOUISIANA.....	12

I. INTRODUCTION

This report communicates the results of a review conducted by the U.S. Department of Agriculture's (USDA) Food Safety and Inspection Service (FSIS) in Federal fiscal year (FY) 2023 to evaluate Louisiana's administered meat and poultry inspection (MPI) program to determine if it is "at least equal to" FSIS' requirements and is capable of ensuring that the State's supply of meat and poultry products is safe, wholesome, unadulterated, and properly labeled and packaged. This year, FSIS reviewed only the self-assessment documentation submitted by the Louisiana Department of Agriculture and Forestry (LDAF) to determine whether it maintains and enforces requirements for an MPI program "at least equal to" the Federal requirements.

The "at least equal to" standard requires that State MPI programs operate in a manner that is at least as effective as FSIS' Federal inspection program in the protection of public health. Under the Federal Meat Inspection Act (FMIA) and Poultry Products Inspection Act (PPIA), FSIS may contribute up to 50 percent of the estimated total cost of the State's MPI program and provide administrative support if the State operates and maintains a program that is "at least equal to" the Federal inspection program (21 U.S.C. 661(a)(3) and 454(a)(3)).

II. OBJECTIVE, SCOPE, AND METHODOLOGY

The scope of the FSIS review focused on the nine "at least equal to" components: (1) Statutory Authority and Food Safety Regulations; (2) Inspection; (3) Sampling Programs; (4) Staffing, Training, and Supervision; (5) Humane Handling; (6) Compliance; (7) Laboratory Methods and Quality Assurance Program; (8) Civil Rights; and (9) Financial Accountability. This year's review activities were limited to evaluations of self-assessment documents submitted by LDAF via email or the State Review and Communication Tool for each component. FSIS also conducted interviews of State MPI program officials as needed to gain a better understanding of some submitted self-assessment documents. FSIS reported any findings¹ identified during this review to make certain the State MPI program effectively implements corrective actions to resolve them. FSIS analyzed all information collected for each "at least equal to" component during the review process before making a determination regarding the component. The overall determination for the State MPI program was based on the collective results and determinations made for the nine "at least equal to" components. FSIS conducted this review process in accordance with FSIS Directive 5720.3, Methodology for Performing Scheduled and Targeted Reviews of State Meat and Poultry Inspection Programs. LDAF was not subjected to an onsite verification audit in FY 2023.

III. BACKGROUND

The FMIA (21 U.S.C. 661) and the PPIA (21 U.S.C. 454) authorize FSIS to cooperate with State agencies in developing and administering State MPI programs. An individual State MPI program

¹ An issue identified by a Federal-State Audit Staff Auditor. There are two types of findings: 1. Noncompliance, failure to meet a regulatory requirement. 2. Nonconformity, State program, or any State official fails to implement and/or follow a policy or procedure as proffered in their Self-Assessment.

is limited to meat and poultry products that are produced and sold within the State and must operate in a manner and with authorities that are “at least equal to” the programs that FSIS implements under the ante-mortem and post-mortem inspection, reinspection, sanitation, record keeping, and enforcement provisions of the FMIA (21 U.S.C. 601, et seq.) and PPIA (21 U.S.C. 451, et seq.). State MPI programs are to ensure that livestock are treated humanely by imposing humane handling requirements that are “at least equal to” the requirements FSIS has established under the Humane Methods of Slaughter Act of 1978 (HMSA) (7 U.S.C. 1901–1906).

The FMIA and PPIA provide for FSIS to review, at least annually, each State MPI program and its requirements and enforcement activities. If a State fails to administer a meat and poultry inspection program that is “at least equal to” FSIS’ Federal inspection program, FSIS will move to “designate” the State in accordance with 21 U.S.C. 661(c) and 454(c).

The FSIS review process consists of two parts: (1) an annual document review of the State MPI program’s self-assessment submission and (2) a triennial verification onsite audit. FSIS may use one or both parts of the comprehensive audit process to determine whether a State MPI program is operating in a manner “at least equal to” the Federal inspection program. Annually, a non-designated State is required to submit self-assessment documentation demonstrating the MPI program operates in a manner “at least equal to” the Federal inspection program. The self-assessment process requires a State MPI program to conduct a comparative assessment of the FSIS inspection program and its own to determine whether the implemented inspection operations, regulatory sampling programs, and compliance enforcement strategies achieve outcomes “at least equal to” FSIS.

The self-assessment documentation should describe the current MPI program’s administrative and operational procedures for ensuring the uniform enforcement of applicable laws and governing regulations, taking control of adulterated or misbranded products found in intrastate commerce, and assigning competent inspection personnel at establishments where products received the State marks of inspection. The State MPI program is to include the self-assessment submission copies of all applicable laws, administrative rules, regulations, and policies deemed necessary to carry out the inspection program. The State MPI program is to provide sufficient documentation to demonstrate the program’s ability to meet the “at least equal to” standard for the next 12 months. The State MPI program is to identify any administrative or operational changes made to the programs since its last self-assessment document submission and review determination.

In addition, FSIS conducts onsite verification audits of a State MPI program at a minimum of every 3 years to verify the accuracy and implementation of the State MPI programs’ self-assessment submissions. In years when a State MPI program is not subject to FSIS’ onsite verification audits, the annual “at least equal to” determination will be based on an analysis of the State’s self-assessment document review results.

LDAF, a State organization with the overall authority to administer the State MPI program, submitted as required program self-assessment documents to demonstrate administrative and program-wide compliance with all nine “at least equal to” components. FSIS reviewed the State’s self-assessment documentation.

LDAF administers the Louisiana MPI program under authority of Louisiana Revised Statutes (R.S. Title 3, Chapter 27, Sections 3:4201 to 3:4233). LDAF is organized on three levels: State office, State inspection, and compliance program. The program verifies compliance and enforces regulatory requirements at inspected facilities and custom exempt operators.²

FSIS verified through interviews and record reviews that all LDAF personnel are employed by the State of Louisiana and are conducting verification activities as outlined in the self-assessment.

The table below details the number of State-inspected establishments and custom exempt operators.

Total Number of State-Inspected Establishments and Custom Exempt Operators

	Establishment Type	Slaughter Only	Processing Only	Combination Slaughter and Processing	Total
Number of State-Inspected Establishments	Meat Only	6	24	10	40
	Poultry Only	0	2	0	2
	Combination Meat and Poultry	0	8	0	8
	Total	6	34	10	50
Number of Custom Exempt Operators	Meat Only	0	6	23	29
	Poultry Only	0	0	17	17
	Total	0	6	40	46

IV. COMPONENT 1: STATUTORY AUTHORITY AND FOOD SAFETY REGULATIONS

The State laws or administrative rules must grant the State MPI program the legal authority to administer an inspection program. The State MPI program is required to have meat and poultry inspection laws and governing regulations to impose mandatory ante-mortem and post-mortem inspection, reinspection, sanitation requirements, recordkeeping requirements, and enforcement authorities “at least equal to” those prescribed by the FMIA (21 U.S.C. 601, et seq.) and PPIA (21 U.S.C. 451, et seq.).

FSIS reviewed the submitted self-assessment documentation and confirmed Louisiana administers LDAF under the applicable State laws, rules, and regulations. The State law, the Louisiana Revised Statutes (R.S. Title 3, Chapter 27, Sections 3:4201 to 3:4233), includes legal requirements comparable to following mandatory requirements of the FMIA and the PPIA:

² Custom exempt operators are not subject to the routine inspection requirements of the FMIA and the PPIA, provided the specified operations meet the exemption requirements (21 U.S.C. 623 and 464).

- ante-mortem and post-mortem inspection (Sections 3:4203 and 3:4204);
- reinspection (Section 3:4205);
- sanitation requirements (Section 3:4208);
- record keeping requirements (Section 3:4219);
- humane methods of slaughter requirements (Section 3:4203);
- adulteration (Section 3:4201);
- misbranding (Section 3:4201);
- prohibited acts (Sections 3:4203 and 3:4210);
- access and examination (Sections 3:4206, 3:4209, 3:4219 and 3:4229);
- product control actions (Sections 3:4224 and 3:4225); and
- exemption from inspection (Sections 3:4215 and 3:4216).

The Louisiana Revised Statutes grants the authority to promulgate rules and regulations (Sections 3:4213 and 3:4232). Louisiana adopts by reference 9 CFR in the Louisiana Administrative Code (Title 7, Part XXXIII, Chapter 1, Section 101).

FSIS auditors confirmed Louisiana did not enact any statutory or regulatory changes this year that may potentially affect how LDAF carries out its regulatory duties.

FSIS auditors did not have any findings and determined that, LDAF operates under State laws and regulations that provide legal authority “at least equal to” that provided under the FMIA, PPIA, HMSA, and governing regulations.

V. COMPONENT 2: INSPECTION

The State MPI program is required to administer a regulatory inspection program “at least equal to” that provided by FSIS. The inspection program is to include, at a minimum, inspection verification methods for verifying:

- Animals are suitable for slaughter, and carcasses and parts are eligible for human consumption;
- All meat and poultry products found in intrastate commerce are safe, unadulterated and truthfully labeled;
- All official establishments comply with sanitation performance standards, sanitation standard operating procedures and sanitary dressing regulatory requirements as articulated in 9 CFR 416 or equivalent governing State regulations; and
- All official establishments develop, implement, and maintain written Hazard Analysis and Critical Control Points (HACCP) systems as articulated in 9 CFR 417 or equivalent governing State regulations.

The inspection verification methods implemented by the State MPI program must include activities for evaluating compliance at official establishments with the applicable inspection and food safety verification requirements of 9 CFR Chapter III. These include observation of establishments’ operations and employees’ product handling practices, hands-on verification, and review of establishment records, with the results of verification being entered in the associated inspection records. The State MPI program is to implement inspection verification

methods for ensuring State-inspected meat and poultry products are wholesome, not economically adulterated, truthfully labeled, and meet regulatory requirements. The State MPI program must ensure inspection personnel interpret and apply relevant regulatory requirements uniformly when conducting inspection verification methods. The ultimate regulatory goal of the State MPI is to protect consumers from meat or poultry products that are unwholesome, economically adulterated, or not truthfully labeled (21 U.S.C. 607 and 457).

FSIS reviewed the self-assessment documentation submitted as evidence showing that LDAF has developed and implemented:

- An inspection system to ensure State inspected establishments comply with applicable food safety and other consumer protection regulations (e.g., ante-mortem and post-mortem inspections, sanitation, HACCP system, and product standards and labeling);
- A label approval policy and process to verify labels, marks, or devices are accurate and comply with regulatory requirements prior to establishments applying them to inspected meat or poultry products;
- A methodology to analyze establishments' food safety systems to verify that the establishments can produce safe and wholesome meat or poultry products in accordance with applicable statutory and regulatory requirements;
- A system of administrative enforcement actions to bring establishments effectively under regulatory compliance comparable to actions taken by FSIS; and
- An internal control system for evaluating the efficacy and effectiveness of the other systems.

LDAF uses TASK System, analogous to the FSIS Public Health Information System (PHIS), to schedule inspection tasks and to collect, consolidate, and analyze inspection data. LDAF administers inspection for any meat or poultry product intended for human consumption, wholly or in part, from the carcass or parts of any animal defined as "livestock" or "poultry" in the R.S. Title 3, Chapter 27, Section 3:4201 and governing rules, regulations, and policies. The State inspection program maintains assurances that animals intended to be used in meat and poultry products sold commercially are slaughtered and processed in the presence of State inspection personnel. The resulting meat and poultry food products are inspected and passed for human consumption. LDAF adopts and implements the most relevant FSIS issuances as its policies for carrying out inspection and food safety verification activities.

LDAF adopted FSIS Directive 5100.1 Rev 4 for performing food safety assessments (FSAs) without conducting the associated Public Health Risk Evaluation. Every establishment was scheduled an FSA once every 4 years or for cause. FSIS determined that the noted procedural differences did not impact LDAF's capability to meet the intended purposes of the directive.

FSIS did not have any findings and determined that LDAF maintains inspection and food safety verification systems that meet the "at least equal to" standards. Control measures are in effect to ensure that the inspection system functions as intended.

VI. COMPONENT 3: SAMPLING PROGRAMS

The State MPI program is required to assess establishments' control of microbial pathogens and violative levels of veterinary drugs, pesticides, contaminants, and other adulterants through product sampling. The State MPI program must have access to laboratory services to conduct chemical, microbiological, physical, and pathological tests. Laboratories conducting official analyses for State inspection programs must ensure test results are accurate, reliable, and reproducible.

LDAF provided documentation to demonstrate it maintains sampling programs, based on sound rationale and goals, for the following:

- *Escherichia coli* (*E. coli*) O157:H7 and Non-O157 Shiga toxin-producing *E. coli* (non-O157 STEC) in raw non-intact beef products and raw ground beef components;
- *Listeria monocytogenes* (*L. monocytogenes*) and *Salmonella* in ready-to-eat products; and
- Other consumer protection standards.

LDAF implements developed sampling procedures for collecting samples, maintaining sample integrity, determining sampling frequencies, conducting sample analyses, responding to positive results, and preventing adulterated product from entering commerce. Additionally, LDAF did not participate in the National Residue Program due to being a non-PHIS State but collects and analyzes inspector-generated samples for violative drug residues.

LDAF adopts and implements the most relevant FSIS issuances as its own policies for carrying out inspection and food safety verification activities.

LDAF determined the sampling frequency of ground beef, beef manufactured trim, bench trim, and ready-to-eat product samples in sampling plans based on guidance to States on frequency of microbiological testing for the FY 2020 review cycle distributed by FSIS. LDAF met or exceeded the minimal sampling frequencies in the guidance. FSIS auditors observed some sampling procedural differences from those outlined in several FSIS directives. For example, instead of compositing the environmental samples collected as part of a risk-based *Listeria monocytogenes*, LDAF analyzed each sample individually. FSIS determined that the procedural differences did not impact LDAF's capability to meet its food safety objective.

LDAF provided evidence of response to a beef manufactured trim positive test result (*E. coli* O45), which indicated only 1 follow-up sample was collected, instead of 8 or 16 in the adopted FSIS directive. The State MPI program was aware of the nonconformity from its sampling policy. To prevent this type of nonconformity in the future, the program assistant director decided to retrain all administrative, laboratory and field personnel involved in the determination of follow-up sample frequencies and execution of these follow-up samples.

FSIS did not have any findings and determined that LDAF maintains verification testing to address adulterants, other measures of properly operating food safety systems, and other consumer protection standards "at least equal to" the Federal requirements. Control measures are in effect to ensure that the sampling programs function as intended.

VII. COMPONENT 4: STAFFING, TRAINING, AND SUPERVISION

The State MPI program must maintain enough staff to carry out its responsibilities. The State MPI program is to organize a sufficient number of trained veterinarians, inspectors, and enforcement staff to carry out the inspection and regulatory duties of the MPI program well. The State MPI program ensures its personnel receive the professional, technical, inspection, and managerial training necessary to maintain a competent and effective workforce. The State MPI program is to provide instructions to MPI personnel on performing daily inspection tasks and compliance enforcement activities.

FSIS reviewed the submitted documents and confirmed that LDAF implements administrative programs to ensure a competent workforce provides daily inspection coverage in each State-inspected meat and poultry establishment where the State inspection marks are applied to products. The State's supervisory system aligns individual workloads with Louisiana's public health and regulatory goals and sets standards to assess job performance, including measures to correct unsatisfactory performance.

The LDAF training program includes formal classroom and on-the-job components and is developed based on the specific job requirements of its workforce. LDAF's training program for new entry-level inspection personnel includes ante-mortem inspection, humane handling, post-mortem inspection, pathogen reduction/HACCP, Sanitation Standard Operating Procedures, Sanitation Performance Standards, and ongoing professional development. The State MPI program assistant director and program managers completed enforcement investigation and analysis officer (EIAO) training and serve as EIAOs. Public health veterinarians (PHV) received training through guidance outlined in the State PHV Training Curriculum Checklist.

LDAF evaluated job performance and competency of State MPI program personnel during their probationary periods and on an annual basis thereafter. State office staff determine applicability of new FSIS issuances (i.e., FSIS Directives, Notices, and Compliance Guidelines) to the State MPI program, adopt them or make minor changes, discuss new State policies with supervisors, and post them in share drive.

FSIS did not have any findings and determined the LDAF administrative program to be "at least equal to" the FSIS program. LDAF maintains sufficient resources to provide the required inspection coverage at State-inspected establishments to ensure that only safe, wholesome, unadulterated, and properly labeled meat and poultry products receive the State mark of inspection. The information supports the conclusion that inspection personnel have the education and training to apply LDAF's inspection methodology, document findings, and initiate regulatory actions when necessary. Control measures are in effect to ensure that the staffing, training, and supervision systems function as intended.

VIII. COMPONENT 5: HUMANE HANDLING

The State MPI program verifies humane slaughter and handling of livestock (Humane Methods of Slaughter Act 1978 (7 U.S.C. 1901–1906) and FMIA 21 U.S.C. 603 (b) and 610 (b)). The

State MPI program is expected to adopt laws “at least equal to” the HMSA and the requirements outlined in FSIS Directives 6900.1 and 6900.2. When livestock are slaughtered humanely, they are rendered insensible to pain by means that are rapid and effective before being shackled, hoisted, thrown, cast, or cut. Livestock slaughter may also be carried out in accordance with Jewish religious rituals or any other religions that prescribe a method of slaughter in which the animal loses consciousness by severing its carotid arteries simultaneously and instantly with a sharp instrument and handling the animal appropriately.

The State MPI Program is required to ensure poultry operators comply with Good Commercial Practices (GCP). The Poultry Products Inspection Act (PPIA) (21 U.S.C. 453(g)(5)) and the regulations (9 CFR 381.90) provide that poultry carcasses showing evidence of having died from causes other than slaughter are considered adulterated and must be condemned. The regulations (9 CFR 381.65(b)) also require that poultry be slaughtered in accordance with GCP. Poultry are to be slaughtered in a manner that ensures that breathing has stopped before scalding—so that the birds do not drown—and that slaughter results in thorough bleeding of the poultry carcass. Compliance with these practices helps ensure that poultry are treated humanely.

FSIS reviewed submitted self-assessment documents and confirmed that LDAF adopts the following FSIS humane handling and GCP directives as its own humane handling and GCP policies:

- FSIS Directive 6900.2, Humane Handling and Slaughter of Livestock, to communicate instructions to inspection personnel;
- FSIS Directive 6110.1, Verification of Poultry Good Commercial Practices; and
- FSIS Directive 6910.1, District Veterinary Medical Specialist (DVMS) - Work Methods.

LDAF adopts the definition of egregious inhumane treatment as detailed in FSIS Directive 6900.2. The State MPI program uses FSIS Directive 6900.2, Humane Handling and Slaughter of Livestock, to communicate instructions to inspection personnel. Inspectors document humane handling verifications in Humane Handling Activities Tracking System category evaluation sheets, noncompliance records, and monthly inspection task result summaries. LDAF adopts FSIS Directive 6110.1, Verification of Poultry Good Commercial Practices, to verify poultry are slaughtered in accordance with GCP requirements. LDAF does not perform GCP verification procedures outlined in FSIS Directive 6110.1 at this time because none of the State-inspected establishments slaughter poultry under inspection.

The DVMS evaluates establishments’ humane handling procedures and inspectors’ humane handling task performance annually at slaughter facilities in accordance with FSIS Directive 6910.1, District Veterinary Medical Specialist (DVMS) - Work Methods.

FSIS did not have any findings and concluded that LDAF operates under State laws and regulations that provide legal authority “at least equal to” that provided under the FMIA, PPIA, HMSA, and governing regulations.

IX. COMPONENT 6: COMPLIANCE

The State MPI program is required to enforce compliance with all applicable laws and regulations and take appropriate action in the event of noncompliance. The State MPI program must have the ability to:

- Detain adulterated or misbranded product (21 U.S.C. 672 and 467 (a));
- Take appropriate control in intrastate commerce of adulterated or misbranded product and ensure proper disposition of such product, including seizure, condemnation, and destruction where appropriate (21 U.S.C. 673 and 467 (b));
- Ensure establishments maintain written recall procedures for all meat and poultry products produced and shipped (21 U.S.C. 613 and 459(c)(1));
- Conduct surveillance activities to ensure animal carcasses and carcass parts that are not intended for use as human food are not diverted to such uses; and
- Refuse or withdrawal inspection services as warranted (21 U.S.C. 671, 467, and 457 (b)). The State must maintain a statutory process to prosecute anyone who forcibly assaults, resists, opposes, impedes, intimidates, or interferes with officials in the performance of their official duties (21 U.S.C. 675 and 461 (c)).

FSIS reviewed submitted self-assessment documents and confirmed that LDAF maintains a compliance system to enforce food safety, food defense, inspection exemption, and other consumer protection statutory requirements in intrastate commerce. LDAF follows State compliance policies or adopted FSIS directives to:

- Conduct surveillance activities and investigations, as warranted, of firms producing meat and poultry products in intrastate commerce;
- Control unsafe or violative products through detentions, seizures, and voluntary recalls;
- Take appropriate enforcement actions when adulterated or misbranded products are found in intrastate commerce; and
- Develop case files to ensure all enforcement actions imposed are legally supported by applicable State laws.

LDAF follows the procedures and methods in FSIS Directive 8010.1, Methodology for Conducting In-Commerce Surveillance Activities, to assess food safety, food defense, non-food safety consumer protection, and compliance with administrative and judicial court orders in firms that prepare, transport, sell, or offer for sale meat and poultry products in intrastate commerce. LDAF cooperates with the Louisiana Department of Health to ensure all applicable compliance activities are performed at food banks, retailers, and restaurants; with LDAF Veterinary Services at renderers; and with LDAF Agricultural and Environmental Sciences at animal food manufacturers.

LDAF followed FSIS Directive 8410.1 Revision 6 for taking appropriate control of product found in intrastate commerce that may be adulterated, misbranded, or not received the mark of inspection. The State MPI program referenced FSIS Directive 8010.5 Rev. 5 for evaluating evidence and deciding enforcement actions necessary. The State MPI assistant director recommends cases of criminal and civil violations for prosecution by LDAF attorneys.

LDAF referenced FSIS Directive 8080.1 Rev 7 to verify recall effectiveness. LDAF provided a detailed policy for communicating with establishments to determine if a recall is necessary. Procedures utilized to determine the class and scope of a product recall, as well as persons responsible for communicating with the responsible parties and the public, were identified in the documentation provided. No State-inspected establishments or retail firms recalled product during FY 2023.

LDAF established methods to record, triage, analyze, and track consumer complaints related to State regulated meat or poultry products. Compliance personnel either investigate these complaints or refer them to the local health authority. The investigative methods include procedures to collect and safeguard evidence, conduct interviews; submit product samples to the laboratory, initiate recall procedures and/or regulatory and enforcement actions, and report potential food safety threats.

LDAF adopted FSIS Directive 8160.1 for verifying that livestock and poultry carcasses and products produced in exempt operations are not adulterated or misbranded, handled humanely, prepared under sanitary conditions, properly marked and packaged, stored separately from State-inspected products, and documented according to regulatory requirements; these policies also included methods used by the State to determine if a follow-up visit is necessary to ensure any deviations are adequately corrected. State supervisory personnel or their designee are responsible for performing reviews of exempt operations and completing reviews yearly; in the event of a suspected violation, in commerce investigators will initiate an investigation.

FSIS did not have any findings and determined the LDAF compliance program to be “at least equal to” the FSIS program. LDAF maintains sufficient resources to conduct surveillance reviews at registered firms, which may lead to investigations and enforcement actions. The information supports individuals, firms, and corporations in complying with applicable State statutes when producing, transporting, storing, and distributing meat and poultry products in intrastate commerce. The information supports the conclusion that inspection personnel have the education and training needed to apply LDAF’s inspection methodology, document findings, and initiate regulatory actions when necessary. Control measures are in effect to ensure that the compliance systems function as intended.

X. COMPONENT 7: LABORATORY METHODS AND QUALITY ASSURANCE PROGRAM

The State MPI program must use product sampling and laboratory methods with capabilities and safeguards “at least equal to” FSIS’ product sampling and laboratory methods. The State MPI program is to update and maintain as necessary its laboratory microbiological and chemical detection methods to keep pace with the applicable FSIS methods detailed in the FSIS Microbiology Laboratory Guidebook and USDA FSIS Chemistry Laboratory Guidebook.

An off-site records review of LDAF/Louisiana State University Agricultural Center (LDAF) was performed during FY 2023 to evaluate laboratory quality assurance programs and method equivalence under the State MPI Program.

LDAF conducts microbiological testing for *Salmonella*, *L. monocytogenes*, and STEC. LDAF conducts food chemistry testing for moisture, protein, fat, and salt.

FSIS compared the LDAF Laboratory Quality Assurance Program to the State MPI Program Laboratory Quality Management System Checklist, and evidence of laboratory proficiency and analyst training was evaluated. Based on their self-assessment, LDAF met all Laboratory quality assurance requirements, including analysts' training and related proficiency testing (PT).

LDAF has demonstrated adequate food chemistry capability for the measurement of moisture, protein, fat, and salt. LDAF has demonstrated adequate microbiological capabilities for detection of *Salmonella*, *L. monocytogenes*, and STEC.

Based on the Component 7 methods and quality assurance program review, Louisiana may be eligible to perform inspection:

- At beef establishments producing raw ground beef and bench trim, provided that the state collects and submits the appropriate number of samples that are tested for *Salmonella* and *E. coli* O157:H7 and at beef slaughter establishments producing manufactured trim, where the state is to collect and submit the appropriate number of samples that are tested for *Salmonella*, *E. coli* O157:H7, and non-O157 STEC.
- At “ready-to-eat” meat and poultry establishments, provided that the state collects and submits the appropriate number of samples that are tested for *Salmonella* and *L. monocytogenes*.
- At poultry slaughter establishments, provided that the state collects and submits the appropriate number of samples that are tested for *Salmonella* and *Campylobacter*. MPI states with no participating facilities slaughtering at least 20,000 chickens and/or 20,000 turkeys per year are not required to test that raw product for *Salmonella* and *Campylobacter* since it is not required at similar federally inspected plants. Note: Analytical methods for *Salmonella* and *Campylobacter* in raw poultry products were not evaluated as Louisiana is not currently inspecting MPI program poultry establishments slaughtering at least 20,000 chickens and/or turkeys per year.

On September 18, 2023, FSIS determined the analytical methods used for microbiological and chemical analyses are “at least equal to” the FSIS methods.

XI. COMPONENT 8: CIVIL RIGHTS

The State MPI program is to adhere to Federal Civil Rights laws: Title VI of the Civil Rights Act of 1964 (42 U.S.C. 200(d)), Section 504 of the Rehabilitation Act of 1973, as Amended (29 U.S.C. 794), Age Discrimination Act of 1990 (42 U.S.C. 12101, et seq.) and applicable USDA Civil Rights regulations.

In November 2022, LDAF submitted the required FSIS Form 1520-1, Civil Rights Compliance of State Inspection Programs, to demonstrate adherence to Federal civil rights laws and USDA civil rights regulations.

FSIS conducted a Civil Rights compliance review of LDAF. The review was conducted to determine compliance with applicable Civil Rights statutes, USDA regulations, and FSIS policies and, where necessary, provide recommendations for program improvement. The review focused on the State's compliance in eight areas: (1) Civil Rights Assurances; (2) State Infrastructure and Program Accountability; (3) Public Notification; (4) Complaints of Discrimination; (5) Civil Rights Training; (6) Disability Compliance, (7) Program Accessibility to Individuals with Limited English Proficiency; and (8) Compliance with the Age Discrimination Act of 1975.

On August 15, 2023, FSIS determined Louisiana's Civil Rights program to be in compliance with "at least equal to" standards for applicable civil rights laws, USDA regulations, and FSIS policies.

XII. COMPONENT 9: FINANCIAL ACCOUNTABILITY

The State is to appropriate funds commensurate with those provided by FSIS as specified in the Cooperative Agreement. Funding is sufficient to ensure the operation of an inspection program consistent with the criteria of the Cooperative Agreement and the satisfactory and uninterrupted operation of State inspection program activities. The State ensures appropriate use of Federal funds, adequate accounting support for the State inspection program, and timely and accurate submission of expense reports.

LDAF submitted quarterly and final Federal Financial Reports (SF-425) and an annual Indirect Cost Proposal to demonstrate it conforms to 2 CFR Part 400 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and follows FSIS Directive 3300.1, Fiscal Guidelines for Cooperative Inspection Programs (March 2004). FSIS determined that LDAF is "at least equal to" Federal standards for financial accountability for FY 2023.

On the week of January 22, 2023, FSIS conducted a fiscal review of LDAF to determine the sufficiency of the financial systems, records, reports, and procedures employed by LDAF MPI program. This review encompassed Federal FY 2020–2022. FSIS determined that LDAF is operating in full compliance with the financial and administrative provisions of FSIS Directive 3300.1, Fiscal Guidelines for Cooperative Inspection Programs (March 2004), and the criteria outlined in the FSIS "At Least Equal To" Guideline for State Meat and Poultry Inspection Programs (November 2016).

FSIS determined that LDAF is "at least equal to" Federal standards for financial accountability for FY 2023

XIII. DETERMINATION FOR LOUISIANA

Based on the evidence and results described above, FSIS determined that LDAF operates its MPI program “at least equal to” the Federal requirements for all components and enforces requirements “at least equal to” those imposed under the Federal Acts.