Appendix I

Comprehensive Review and Determination Report

Fiscal Year 2021

Louisiana

Federal-State Audit Staff
Office of Investigation, Enforcement and Audit
Food Safety and Inspection Service
U.S. Department of Agriculture
April 2022

The USDA is an equal opportunity provider and employer.
# Table of Contents

Purpose ............................................................................................................................................ 1

Description of Louisiana’s MPI Program .................................................................................... 1

Annual Determination ................................................................................................................... 1

Part I. Self-Assessment Review ..................................................................................................... 1

  Self-Assessment Review Methodology .......................................................................................... 1

  Review of Louisiana’s Self-Assessment Submission ..................................................................... 2

  Self-Assessment Determination for Louisiana ............................................................................. 8

Part II. On-Site Review ................................................................................................................ 8

  On-Site Review Methodology ......................................................................................................... 8

  On-Site Review of Louisiana .......................................................................................................... 9

  On-Site Determination for Louisiana ............................................................................................ 13
Purpose
This report communicates the United States Department of Agriculture (USDA), Food Safety and Inspection Service (FSIS), Office of Investigation, Enforcement and Audit, Federal-State Audit Staff’s (FSAS) annual review results and determination for the Louisiana Meat and Poultry Inspection (MPI) program, and presents an overview of the review methodology used for determining if the State MPI program is “at least equal to” FSIS’ MPI program.

Description of Louisiana’s MPI Program
The Louisiana Department of Agriculture and Forestry (LDAF) administers the Louisiana MPI program under authority of Louisiana Revised Statutes (Title 3, Chapter 27). The program verifies compliance and enforces regulatory requirements at 42 inspected facilities and 50 custom exempt establishments. In addition, LDAF provides inspection at two facilities in the Federal-State Cooperative Agreement Inspection Program.

Annual Determination
FSIS determined that LDAF is operating a meat and poultry inspection program “at least equal to” the Federal requirements. This determination was based on: (1) FSIS’ annual desk review of the self-assessment documents, and (2) FSIS’ onsite review. This determination is fully explained in the sections entitled “Part I – Self-Assessment Review” and “Part II – Onsite Review.”

Part I. Self-Assessment Review

Part I includes the following:
• Description of the Self-Assessment Review Methodology followed for all State MPI programs;
• Review of Louisiana’s Self-Assessment Submission; and
• Self-Assessment Determination for Louisiana.

Self-Assessment Review Methodology
The annual self-assessment is designed for each State MPI program to provide sufficient information to adequately demonstrate an “at least equal to” program. The self-assessment submission provides documentation regarding the State’s laws, rules, policies, procedures, and programs to provide a basis for FSIS to determine whether the State MPI program meets the “at least equal to” Federal requirements standard. The self-assessment documents are to include evidence and documentation to support that the State MPI program’s processes are in effect and current with FSIS policies. Following this submission, FSIS thoroughly reviews the self-assessment documentation.

1 Custom exempt establishments are slaughter and processing establishments that are not subject to the routine inspection requirements of the Federal Meat Inspection Act (FMIA) and the Poultry Products Inspection Act (PPIA), provided the specified operations meet the exemption requirements (21 U.S.C. 623 and 464).

2 Facilities operating under the Federal-State Cooperative Agreement Inspection Program (FSCIP), also known as Talmadge-Aiken establishments or cross-utilization facilities, are under Federal inspection, but operate with State inspection personnel. As a result, these facilities are not reviewed as part of the State MPI program review. However, since State inspection personnel staff these establishments, the number of these establishments is applicable to determinations on Component 4 – Staffing and Training.
FSIS’ review of the self-assessment submissions begins with the formation of a review team. The review team, comprised of Agency representatives from FSAS; Civil Rights Staff (CRS); Financial Reviews and Systems Branch (FRSB); Laboratory Quality Assurance, Response, and Coordination Staff (LQARCS); and other program areas, as needed, evaluates each State MPI program’s self-assessment submission to determine whether it meets the “at least equal to” criteria for all nine review components.

If questions arise during the self-assessment review, or if more information or supporting documentation is needed, FSIS will request the State MPI program to submit further clarifying information. Following reviews of the submitted information, a final determination will be made based on the self-assessment submission in its entirety. FSIS will make one of the following three determinations for each component and for the State’s overall ability to maintain an MPI program “at least equal to” the Federal requirements:

1. “At Least Equal To” means the State MPI program has adopted laws, regulations, and programs, and implemented them in a manner that is “at least equal to” FSIS’ Federal inspection program for all review components.
2. “At Least Equal To” with Provisions means FSIS makes a provisional determination of the State MPI program’s “at least equal to” status provided the program takes additional action to resolve review findings.
3. Not “At Least Equal To” means the State MPI program has not adopted laws, regulations, or programs, or does not implement them in a manner that is “at least equal to” FSIS’ Federal inspection program for one or more of the review components.

Review of Louisiana’s Self-Assessment Submission
FSIS evaluated the self-assessment documents for the nine review components to determine whether LDAF constitutes an inspection program “at least equal to” the Federal program. The determination and rationale for each review component are listed below.

FSAS received LDAF’s self-assessment submission for components 1 through 6 on June 8, 2021. FSAS sent a notification to LDAF affirming acceptance of the self-assessment submission and all requested supplementary information provided during the components 1 through 6 desk reviews on August 4, 2021.

Component 1 – Statutory Authority and Food Safety Regulations
FSAS compared the submitted self-assessment and supporting documentation to the legal authority provided under the Federal Meat Inspection Act (FMIA), the Poultry Products Inspection Act (PPIA), and the Humane Methods of Slaughter Act (HMSA), and the regulations promulgated under these laws. The supporting documentation included the Louisiana Revised Statutes (R.S. Title 3, Chapter 27, Sections 3:4201 to 3:4233) and the Louisiana Administrative Code (Title 7, Part XXXIII, Chapter 1). The Louisiana Revised Statutes provide authorities for mandatory ante-mortem and post-mortem inspection, reinspection (Sections 3:4203 to 3:4205), sanitation requirements (Section 3:4208), record keeping requirements (Section 3:4219), and
Humane methods of slaughter requirements (Section 3:4232, in conjunction with Title 7, Part XXXIII, Chapter 1, Section 101).

In addition, the Louisiana Revised Statutes provide authorities that are “at least equal to” the FMIA and PPIA regarding adulteration and misbranding (Section 3:4201), prohibited acts (Sections 3:4210, 3:4211, 3:4214, and 3:4233), access and examination (Section 3:4219), and product control actions (Sections 3:4224 and 3:4225). It also includes sufficient authorities for criminal, civil, and administrative sanctions to address violators.

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

In conclusion, LDAF provided evidence showing that it operates under State laws and regulations that provide legal authority “at least equal to” that provided under the FMIA, PPIA, and HMSA, and the accompanying regulations.

Component 2 – Inspection

FSAS compared the self-assessment submission and supporting documentation regarding inspection policies and procedures and regardig verification of establishments’ compliance, to the Federal requirements. Instead of FSIS’ Public Health Information System, LDAF uses a task-oriented, data-driven inspection system that facilitates information sharing, referred to as TASK. TASK schedules in-plant inspection procedures, and stores establishment production information, establishment noncompliance records, LDAF sample results, and consumer complaint information. TASK also maintains data security and integrity “at least equal to” Federal requirements. 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 Louisiana Revised Statutes and governing rules and regulations. The State inspection program impose regulations and perform inspection duties that ensure animals intended to be used in meat and poultry products sold commercially, are slaughtered and processed in the presence of State inspection personnel, and the resulting meat food products are inspected and passed for human consumption. Furthermore, LDAF administers a food safety verification program that meets the intent of FSIS Directive 5000.1, Verifying an Establishment’s Food Safety System. Food safety verification activities are performed to ensure establishments’ compliance with applicable pathogen reduction, sanitation, and Hazard Analysis and Critical Control Point (HACCP) regulations.

In addition to performing inspections and food safety verifications, LDAF schedules and performs a comprehensive Food Safety Assessment (FSA) at each inspected establishment at least every four years in accordance with FSIS Directive 5100.1, Enforcement, Investigations and Analysis Officer (EIAO) Food Safety Assessment (FSA) Methodology, and 5100.4, Enforcement, Investigations and Analysis Officer (EIAO) Public Health Risk Evaluation (PHRE) Methodology. These FSAs examine the design and validity of establishments’ food safety systems, which include hazard analyses, HACCP plans, Sanitation Standard Operating Procedures (Sanitation SOP), prerequisite programs, sampling programs, supporting documentation and records, and any other programs that constitute the establishments’ food
safety systems. LDAF currently is not using the PHRE in lieu of performing a full FSA at each of their establishments. Currently, the risk ranking is used to prioritize FSAs outside the demands of the four-year cycle, and the PHRE tool is used as a guideline to familiarize the EIAO with the establishment prior to completing the FSA, but LDAF does not document their FSA on the FSIS tools. LDAF uses a narrative format that addresses analogous information detailed in the FSA Tools. The FSA records support the conclusion that State inspection personnel recognize and document noncompliance and initiate appropriate regulatory actions.

LDAF verifies establishment compliance with the non-food safety (i.e., labeling) consumer protection regulatory requirements. LDAF uses applicable FSIS directives to instruct inspection personnel and it uses TASK to schedule ongoing verifications and document noncompliance. A thorough review of the TASK data for a 12-month period supports the conclusion that LDAF inspectors correctly apply the inspection methodology and document noncompliance.

LDAF maintains a label approval policy and process to verify that labels are accurate and meet regulatory requirements. Prior to applying a label, mark, or device to an inspected meat or poultry product, an establishment representative must submit a completed application for label approval and a label sketch to obtain LDAF approval.

LDAF enforces the Louisiana Administrative Code (Title 7, Part XXXIII, Chapter 1, Section 101), which adopts by reference 9 CFR Part 500, Rules of Practice, when establishments do not comply with State authorities that are “at least equal to” the FMIA and PPIA. LDAF maintains procedures to document relevant facts of administrative actions and ensure that administrative actions are legally supportable and based on relevant facts.

The submitted documents support the conclusion that LDAF:

- Performs inspection and regulatory verification procedures to confirm that State-inspected establishments comply with applicable regulations;
- Maintains a system to carry out administrative enforcement actions when establishments do not comply with State authorities that are “at least equal to” the FMIA and PPIA;
- Conducts inspection activities “at least equal to” the Federal requirements; and
- Monitors these activities through control measures to verify that the inspection system functions as intended.

Component 3 – Sampling Programs
FSIS compared LDAF’s sampling protocols, procedures, and results to Federal policies and procedures.

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

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

The sampling plans include procedures for sample collection, sample integrity, and laboratory analysis. LDAF developed policies to respond to positive results. These policies include actions to prevent adulterated product from entering commerce. LDAF participates in the FSIS National Residue Program and collects and analyzes inspector-generated samples for violative drug residues.

In conclusion, a detailed review of the sampling protocols, procedures, and results confirmed 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. LDAF has control measures in effect to confirm that its product sampling system functions as intended.

**Component 4 – Staffing, Training, and Supervision**

LDAF developed methods to determine staffing requirements. The requirements consider each inspector’s workload and the number of inspectors required to provide daily inspection coverage in each establishment on days when the establishment produces products bearing the State mark of inspection. Procedures are in effect to document staffing in each establishment, identify failures to meet staffing requirements, and correct staffing deficiencies. LDAF management uses the Plant Rating Guide and Risk Management Rating Sheet to determine staffing needs. LDAF district supervisors manage the daily inspection assignments and the inspectors’ leave schedules to provide daily inspection coverage in operating inspected establishments. Inspectors complete TASK procedures daily and submit weekly activity reports to district supervisors. If an emergency-leave situation arises and the supervisor is unable to reassign the personnel in his or her area to prevent interruption of daily inspection, the supervisor is to notify the program office. The program office notifies a supervisor in another area to provide coverage for the vacant assignment.

At the start of the FY 2021 review cycle, LDAF indicated they employ 1 director, 1 assistant director (part-time EIAO), one program manager (part-time EIAO), 1 laboratory technician, 1 administrative assistant, 5 district supervisors, 21 inspectors, 1 veterinary medical officer, and 3 compliance officers.

LDAF continues to implement a training program for new entry-level inspection personnel. This training program includes administrative orientation followed by inspection training. The training subjects include livestock inspection, slaughter inspection, processing inspection, HACCP, Sanitation SOPs, and sanitation performance standards. FSIS inspection methods training is also provided for inspectors that work in cross-utilization establishments. Prior to achieving permanent employment status, new employees must complete a 12-month probationary period and demonstrate work competency. On an annual basis, all LDAF personnel must take safety, violence in the workplace, and sexual harassment training per the State
guidelines. LDAF documents training completions on Employee Training Reports, Individual Employee Records, and State training reports.

LDAF administers the State Civil Service Performance Evaluation System that is mandated for State employees. This system communicates to employees their work responsibilities, performance goals and objectives, and annual performance evaluation results in the Planning and Evaluation Form. LDAF considers work quality, dependability, cooperativeness, communication, and problem-solving skills as key factors in job performance evaluations. District supervisors routinely visit establishments throughout the five LDAF supervisory districts. During these visits, district supervisors review establishments’ food safety systems and sanitary conditions, and food inspectors’ ante-mortem and post-mortem inspection procedures. LDAF considers the district supervisors’ establishment review results, regarding food inspectors’ regulatory knowledge application, in the annual performance evaluations. In addition to the routine annual performance evaluations, LDAF evaluates food inspectors’ job performance twice during the probationary period, at 6 and 12 months. LDAF has developed control measures to verify that each employee receives an annual performance evaluation.

After thorough review of the submitted documents, FSAS concluded that LDAF has 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 needed to apply LDAF’s inspection methodology, to document findings, and to initiate regulatory actions when necessary. Control measures are in effect to confirm that LDAF’s staffing and training systems function as intended.

Component 5 – Humane Handling
LDAF schedules and performs regulatory verification procedures to assess whether establishment personnel humanely handle all livestock throughout the time the livestock are on official establishment premises, and it takes appropriate regulatory action in response to noncompliance.

LDAF uses FSIS Directive 6900.2, Humane Handling and Slaughter of Livestock, to communicate instructions to inspection personnel. LDAF schedules and performs regulatory verification of humane handling procedures and documents the results in TASK. District supervisors verify humane handling during routine visits. LDAF’s veterinary medical officer performs annual humane handling reviews at slaughter facilities in accordance with FSIS Directive 6910.1, District Veterinary Medical Specialist (DVMS) – Work Methods.

In conclusion, the information supports the fact that LDAF verifies compliance with the humane handling requirements and takes regulatory action “at least equal to” the Federal program. Control measures are in effect to confirm that the humane handling verification system functions as intended.

Component 6 – Compliance
LDAF personnel conduct in-commerce surveillance of persons or firms that prepare, transport, sell, or offer for sale meat and poultry products in intrastate commerce to verify compliance with
State statutory and regulatory requirements, and to verify that meat and poultry products in intrastate commerce are wholesome; correctly packaged and labeled; and are secure from threats or intentional acts of contamination.

LDAF investigates alleged or actual statutory or regulatory violations; controls products when there is reason to believe that the products are adulterated, misbranded or otherwise in violation of the Louisiana Revised Statutes; and takes enforcement action, when needed, up to and including prosecution of individuals or firms that have violated the Louisiana Revised Statutes. LDAF has procedures to maintain and preserve the legal integrity of documentary and other evidence to support legal action, and to report transportation accidents that involve State-inspected and passed meat and poultry products.

LDAF management reviews all compliance reports for correctness, extracts pertinent information for reporting purposes, enters this information in a database, and files the hard copies. The program director reviews all violations and relevant evidence and determines the appropriate case disposition and course of action.

LDAF maintains procedures for the recall of meat and poultry products subject to its jurisdiction that are “at least equal to” the procedures described in FSIS Directive 8080.1, Recall of Meat and Poultry Products. These procedures include health hazard evaluation, recall classification, public notification, effectiveness checks, and closure. Firms are required to notify LDAF within 24 hours of initiating a recall. LDAF oversees the recall activities, coordinates actions to determine whether adulterated product was removed from commerce, and issues news releases as necessary to serve the interest of public health.

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 has a system for reviewing custom exempt operations that is in accordance with FSIS Directive 8160.1, Custom Exempt Review Process. LDAF inspection personnel perform custom exempt reviews at least annually as directed by their area supervisor, but the more active custom exempt operators are visited quarterly. Area supervisors review each custom exempt report and determine if the LDAF inspector’s follow-up recommendation is acceptable based on any detailed deficiencies. Follow-up visits can be set at any frequency from weekly to annually depending on the detailed deficiencies.

The submitted documents support the conclusion that LDAF maintains a system to verify compliance of meat and poultry products in intrastate commerce and takes appropriate enforcement actions in the event that adulterated or misbranded products enter intrastate commerce. Control measures are in effect to confirm that the compliance program functions as intended.
Component 7 – Laboratory Methods and Quality Assurance Program
OPHS conducted an onsite review of the Louisiana Department of Agriculture and Forestry/Louisiana State University Agricultural Center (LDAF) for microbiological pathogens and food chemistry testing. OPHS evaluated the laboratory quality assurance (QA) and methods for LDAF in conjunction with the onsite review, which is included in Part II of this document, Onsite Review.

Component 8 – Civil Rights
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’s civil rights regulations. In July 2021, CRS concluded that LDAF functions “at least equal to” the Federal civil rights requirements.

Component 9 – Financial Accountability
LDAF submitted quarterly and final Federal Financial Reports (SF-425), and an annual Indirect Cost Proposal to demonstrate it conforms to 7 CFR, Part 3016, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, and follows FSIS Directive 3300.1, Rev.2, Fiscal Guidelines for Cooperative Inspection Programs. FRSB determined that LDAF is “at least equal to” Federal standards for financial accountability for FY 2021.

Self-Assessment Determination for Louisiana
Based on the submitted self-assessment documents and desk review results described above, FSIS determined that LDAF provided adequate documentation to show it is operating a meat and poultry inspection program “at least equal to” the Federal requirements.

Part II. Onsite Review

Part II includes:
- A description of the onsite review methodology followed for all State MPI programs;
- An onsite review of Louisiana; and
- An onsite determination for Louisiana.

Onsite Review Methodology
The onsite review determines whether the State implements its MPI program in a manner that is “at least equal to” the Federal inspection program and maintains program policies and procedures in accordance with those submitted in the annual self-assessment documents. The FSIS onsite review team is comprised of representatives from FSAS, CRS, FRSB, LQARCS, and other program areas as needed. FSIS Directive 5720.3, Methodology for Performing Scheduled and Targeted Reviews of State Meat and Poultry Inspection Programs, outlines the comprehensive State MPI program review process.

As the primary contact for State MPI program officials and FSIS review team members, the lead FSAS program auditor is to coordinate and track components 1 through 6 onsite review activities and to monitor the status of components 7 through 9 reviews through communications with LQARCS, CRS, and FRSB. The FSAS auditor schedules the onsite review, for components 1
through 6, with State MPI program officials. FSAS sends written notification to State MPI program officials at least 30 days prior to the start of the onsite review. LQARCS, CRS, and FRSB schedule onsite reviews of components 7 (laboratory methods and quality assurance program), 8 (civil rights), and 9 (financial accountability), respectively.

Upon completion of an onsite review, FSIS is to make one of the following three determinations for each component and the State’s overall ability to maintain its MPI program “at least equal to” the Federal requirements:

1. “At Least Equal To” means the State MPI program has adopted laws, regulations, and programs, and implemented them in a manner that is “at least equal to” FSIS’ Federal inspection program for all review components.
2. “At Least Equal To” with Provisions means FSIS makes a provisional determination of the State MPI program’s “at least equal to” status provided the program takes additional action to resolve review findings.
3. Not “At Least Equal To” means the State MPI program has not adopted laws, regulations, or programs, or does not implement them in a manner that is “at least equal to” FSIS’ Federal inspection program for one or more of the review components.

Onsite Review of Louisiana
FSIS analyzed all information gathered during the onsite review and LDAF’s action plan, which addressed the findings identified during the review, to determine whether LDAF has implemented and maintains its MPI program “at least equal to” the Federal requirements, and was enforcing requirements “at least equal to” those imposed under the Federal Acts. The determination and rationale for each review component are listed below.

FSAS conducted an onsite review of LDAF, for components 1 through 6, January 26 to February 4, 2021. Based on records and procedures reviewed, FSAS determined LDAF was able to confirm the program is being implemented as described in self-assessment.

Component 2 – Inspection
FSAS reviewed the conditions and documents onsite. The onsite documents reviewed included, but were not limited to, Sanitation SOPs and associated records; HACCP plans and associated records; generic E. coli sampling procedures and associated records; procedures for the removal, segregation, and disposition of specified risk materials and associated records; custom exempt records; noncompliance records; and enforcement letters. In addition, FSAS reviewed the non-food safety consumer protection documents and procedures to determine whether LDAF enforces non-food safety consumer protection regulatory standards “at least equal to” the Federal requirements. This review included, but was not limited to, ongoing regulatory verification tasks, label approvals, labels, and product formulations.

FSAS evaluated LDAF during six establishment reviews. LDAF personnel identified several establishment noncompliances during the onsite review, with the Sanitation SOPs and Sanitation Performance Standards. The FSAS program auditor did not identify any additional noncompliances. LDAF officials initiated regulatory actions in the establishments and issued noncompliance records at the time the noncompliances were identified.
On February 12, 2021, LDAF submitted an action plan to correct the findings identified during the review. The action plan identifies the underlying causes of the system-wide findings and the underlying causes of the specific findings at individual establishments, and includes a verification plan to ensure statewide correction of these findings. In addition, LDAF provided evidentiary documents to demonstrate verification of establishment compliance with the regulatory requirements.

Component 3 – Sampling Programs
FSAS reviewed LDAF’s product sampling documents, protocols, procedures, and results presented onsite. These included sampling plans and laboratory results for *E. coli* O157:H7 in raw non-intact beef products and raw ground beef components; non-O157 STEC in raw beef manufacturing trimmings; *L. monocytogenes* and *Salmonella* in ready-to-eat products; economic samples; violative drug residues; State laboratory activity reports; and sample seals. Based on records and procedures reviewed, FSAS determined LDAF was able to confirm the program is being implemented as described in self-assessment.

Component 4 – Staffing, Training, and Supervision
FSAS reviewed the staffing and training program onsite to assess whether LDAF carries out its staffing, training, and supervisory systems consistent with the self-assessment documents and “at least equal to” the Federal requirements. After further analysis of data from the LDAF office and establishment reviews, FSAS concluded that LDAF has an adequate number of trained persons to provide the required inspection coverage in the establishments, perform compliance activities, and provide supervisory oversight; and has implemented procedures to ensure daily inspection coverage in operating establishments. Inspection personnel apply LDAF’s inspection methodology; make decisions based upon the correct application of inspection methodology, document findings, and initiate regulatory action. The training program includes measures to ensure that inspection personnel receive training in the areas of meat and poultry ante-mortem and post-mortem inspection, humane handling, processed products, HACCP, Sanitation SOPs, rules of practice, in-plant performance system guidelines, compliance, and Inspection Methods training. No issues were identified with the staffing, training and supervision component at the State Office.

Component 5 – Humane Handling
FSAS reviewed the humane handling program and documents presented onsite to determine whether LDAF adequately enforces the humane slaughter of livestock regulatory standards to ensure that animals presented for slaughter are humanely handled throughout the time they are on official establishment premises. These documents included, but were not limited to, noncompliance records and procedure schedules. FSIS reviewed humane handling of livestock, stunning methods, and the condition of livestock pens, driveways, and ramps. No issues were identified with humane handling during the onsite review.

Component 6 – Compliance
FSAS conducted an onsite review of the compliance program activities and all specified documents to determine whether LDAF implements a compliance program in accordance with the submitted self-assessment documentation. These included, but were not limited to,
Investigation, Daily Activity Reports, Programmed Compliance Plans, Incident Reports, Case Reports, Reports of Apparent Violations, and Notices of Warning.

The review of compliance documents and case files support the conclusion that 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 investigates alleged or actual statutory or regulatory violations, as set out in FSIS Directive 8010.2, Investigative Methodology, and controls products when there is reason to believe that the products are adulterated, misbranded, or otherwise in violation of the Louisiana Revised Statutes. The Reports of Investigation were completed in accordance with FSIS Directive 8010.4, Report of Investigation. LDAF uses the investigative findings and evidence to pursue enforcement actions for administrative, civil, or criminal sanctions.

LDAF follows the recall procedures in FSIS Directive 8080.1, Recall of Meat and Poultry Products, with minor modifications fitting its organizational structure. One State-inspected establishment recalled product during FY 2020; documents reviewed support the recall was effective.

LDAF maintains a system to review, analyze, and triage consumer complaints. LDAF gathers information pertinent to these complaints, directs the compliance division to investigate these complaints, and files completed investigation documents in the State office.

LDAF has a system for reviewing custom exempt operations that is in accordance with FSIS Directive 8160.1, Custom Exempt Review Process. LDAF Inspection Personnel perform custom exempt reviews at least annually as directed by their area supervisor, but the more active custom exempt operators are visited quarterly. Area Supervisors review each custom exempt report and determine if the LDAF inspector’s follow-up recommendation is acceptable based on any detailed deficiencies. Follow-up visits can be set at any frequency from weekly to annually depending on the detailed deficiencies. No issues were identified with the compliance program.

Component 7 – Laboratory Methods and Quality Assurance Program
An onsite audit of LDAF was performed during FY21 to evaluate laboratory quality assurance programs and method equivalence under the State MPI Program.

LDAF conducts microbiological testing for Salmonella, L. monocytogenes, E. coli O157:H7, and non-O157 STEC. LDAF conducts food chemistry testing for moisture, protein fat, and salt.

FSIS compared the LDAF Laboratory Quality Assurance Program to the State Meat and Poultry Inspection (MPI) Program Laboratory Quality Management System Checklist and evidence of laboratory proficiency and analyst training was evaluated. LDAF met all Laboratory QA requirements.
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*, *E. coli* O157:H7, non-O157 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, and at beef slaughter establishments producing manufactured trim, provided the State collects and submits 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 the state collects and submits the appropriate number of samples that are tested for *Salmonella* and *L. monocytogenes*.

- At poultry slaughter establishments, provided the state collects and submits the appropriate number of samples 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 raw product for *Salmonella* and *Campylobacter* since it is not required at similar federally inspected plants. However, states should consider testing at a risk hierarchy that is commensurate with their establishment sizes and production volumes. 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.

**Component 8 – Civil Rights**

On April 28, 2021, CRS conducted a civil rights compliance review of LDAF, Office of Animal Health and Food Safety, MPI (hereafter referred to as “the State”). The review was conducted to determine the State’s compliance with applicable Civil Rights laws, USDA regulations, and FSIS policies, and where necessary, provide recommendations for improvement. The review focused on State compliance in eight areas: (1) Civil Rights Assurances; (2) State Infrastructure and Program Accountability; (3) Public Notification; (4) Civil Rights Complaints of Discrimination; (5) Civil Rights Training; (6) Disability Compliance; (7) Program Accessibility for Individuals with Limited English Proficiency; and (8) Compliance with the Age Discrimination Act of 1975.

The review was conducted through a document and telephonic facility assessment, telephonic interviews, and review of documents. The last onsite review was performed in February 2018, wherein full compliance was determined.

The telephonic review found the State of Louisiana to be in compliance with “at least equal to” standards for applicable civil rights laws, USDA regulations, and FSIS policies.

Notwithstanding this determination, the recommendations under Areas 4, 7, and 8 should be implemented, and documentation demonstrating implementation should be provided with the
State’s next annual self-assessment submission, FSIS Form 1520-1, Civil Rights Compliance of State Inspection Programs, due November 1, 2021.

**Component 9 – Financial Accountability**
FRSB did not conduct an onsite fiscal financial and compliance review of LDAF in FY 2021. Therefore, the annual determination will be based on the self-assessment review results only.

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