Comprehensive Review and Determination Report
Fiscal Year 2021
Oklahoma

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

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

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

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

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

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

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

  Self-Assessment Determination for Oklahoma ......................................................... 9

Part II. Onsite Review ........................................................................................................ 9

  Onsite Review Methodology ......................................................................................... 9

  Onsite Review of Oklahoma .......................................................................................... 10

  Onsite Determination for Oklahoma .......................................................................... 13
Purpose
This report communicates the United States Department of Agriculture (USDA), Food Safety and Inspection Service (FSIS), Office of Investigation, Enforcement and Audit (OIEA), Federal-State Audit Staff’s (FSAS) annual review results and determination for the Oklahoma 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 Oklahoma’s MPI Program
The Oklahoma Department of Agriculture Food and Forestry (ODAFF) administers the Oklahoma MPI program under authority of Oklahoma Statutes (Title 2). The program verifies compliance and enforces regulatory requirements at 33 inspected facilities and 67 custom exempt establishments. In addition, ODAFF provides inspection at eight facilities in the Federal-State Cooperative Agreement Inspection Program.

Annual Determination
FSIS determined that ODAFF 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 Oklahoma’s Self-Assessment Submission; and
- Self-Assessment Determination for Oklahoma.

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

---

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.
current with FSIS policies. Following this submission, FSIS thoroughly reviews the self-assessment documentation.

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

FSAS received ODAFF’s self-assessment submission for components 1 through 6 on August 4, 2021. FSAS sent a notification to ODAFF requesting additional information. ODAFF sent additional information clarifying their self-assessment submission and all supplementary information requested. FSAS reviewed the submitted clarification items, and accepted the requested information on August 26, 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 Oklahoma Statutes (Title 2) and the Oklahoma Administrative Code (Title 35, Chapter 37, Subchapters 3 and 5). The Oklahoma Statutes provide authorities for mandatory ante-mortem and post-mortem inspection; reinspection (Sections 2-6-183, 2-6-184, 2-6-185, and 2-6-256); sanitation
requirements (Sections 2-6-188 and 2-6-257); record keeping requirements (Sections 2-6-198 and 2-6-261); and humane methods of slaughter requirements (Section 2-6-183).

In addition, the Oklahoma Statutes provides authorities that are “at least equal to” the FMIA and PPIA regarding adulteration (Sections 2-6-182(j) and 2-6-254(11)), misbranding (Sections 2-6-182(k) and 2-6-254(12)), prohibited acts (Sections 2-6-190, 2-6-191, 2-6-259, and 2-6-260), access and examination (Sections 2-6-186, 2-6-198, 2-6-261, and 2-6-271), and product control actions (Sections 2-6-203, 2-6-204, 26-268, and 2-6-269). It also includes sufficient authorities for criminal, civil, and administrative sanctions to address violators.


In conclusion, ODAFF 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 regarding verification of establishments’ compliance with the Federal requirements. ODAFF uses the FSIS Public Health Information System (PHIS) to schedule inspection tasks and to collect, consolidate, and analyze inspection data. ODAFF 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 Oklahoma 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, ODAFF 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 the Hazard Analysis and Critical Control Point (HACCP) regulations.

In addition to performing inspections and food safety verifications, ODAFF developed MPI Notice 607, Scheduling Food Safety Assessments and Intensified Verification Testing, to examine establishments’ food safety systems. This notice clarifies scheduling food safety assessments (FSA) and intensified verification testing in response to positive pathogen test results. Enforcement, investigations and analysis officers (EIAO) perform FSAs. These FSAs examine the design and validity of establishments’ food safety systems, which include hazard analyses, HACCP plans, Sanitation Standard Operational Procedures (Sanitation SOP),
prerequisite programs, sampling programs, supporting documentation and records, and any other programs that constitute the establishments’ food safety systems. The PHRE and FSA records support the conclusion that State inspection personnel recognize and document noncompliance and initiate appropriate regulatory actions.

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

ODAFF maintains a label approval policy and process, MPI Notice 701, Label Approval Procedure for State Inspected Meat and Poultry Establishments, 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 ODAFF approval.

ODAFF enforces the Oklahoma Administrative Code (Sections 35:37-3-1 and 35:37-5-1), which incorporates 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. ODAFF 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 ODAFF:

- 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 ODAFF’s sampling protocols, procedures, and results to Federal policies and procedures.

ODAFF provided documentation to demonstrate that 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 and 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. ODAFF developed policies to respond to positive results. These policies include actions to prevent adulterated product from entering commerce. ODAFF 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 methods, protocols, procedures, and results confirmed that ODAFF 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. ODAFF has control measures in effect to confirm that its product sampling system functions as intended.

Component 4 – Staffing, Training, and Supervision
ODAFF 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. The ODAFF Administrative Code authorizes the director to designate hours of inspection in establishments that operate less than full time (Section 35:37-3-19). ODAFF divides the State into four geographical districts and assigns a meat inspector supervisor in each district. The four districts are organized into two circuits with a veterinary supervisor assigned to each circuit. ODAFF meat inspector supervisors assign inspectors’ work schedules and adjust these schedules, as needed, to accommodate inspectors’ leave requests. Inspectors are instructed to conduct daily visits to operating establishments, and to complete and submit time and travel logs weekly. The meat inspector supervisors review inspection data and time and travel logs to verify daily inspection coverage and arrange relief inspection during routine and emergency leave situations.

At the start of the FY 2021 review cycle, ODAFF indicated they employ 1 food safety director, 1 coordinator who is also an EIAO, an administrative clerk, 14 inspectors, 9 Talmadge-Aiken program inspectors, 1 veterinary medical officer who is also an EIAO, 4 district supervisors (1 of which is also an EIAO), 1 compliance supervisor, and 2 compliance officers.

ODAFF continues to implement a training program for new entry-level inspection personnel. The training covers basic slaughter techniques and all inspection techniques required to perform slaughter duties, including basic Sanitation SOP and HACCP procedures. Veterinary supervisors provide new inspectors with administrative orientation followed by additional training on inspection duties. The training subjects include livestock inspection, slaughter inspection, processing inspection, inspection methods, HACCP, Sanitation SOP, and sanitation performance standards. ODAFF maintains a record keeping system to track participation and completion of training.

ODAFF uses a performance management process (PMP) to set performance standards, and complete and record ongoing performance evaluations. Supervisors are to meet with each
inspector at least three times per year. The initial meeting is to set inspectors’ standards, the second mid-year meeting is to appraise performance, and the third meeting is to finalize performance ratings. Supervisors also perform a PMP assessment at the end of the employees’ probationary employment periods. This system communicates to its employees their work responsibilities, performance goals and objectives, and the results of their annual performance evaluations. Supervisors review establishments at least quarterly and use the review information to reflect the knowledge of the inspectors to aid in the performance evaluation process. ODAFF maintains control measures to examine the PMP assessments for quality, completeness, and accuracy.

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

Component 5 – Humane Handling
ODAFF 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.

ODAFF uses FSIS Directive 6900.2, Humane Handling and Slaughter of Livestock, to communicate instructions to inspection personnel. Inspectors document humane handling verifications in PHIS. Inspection personnel are to take an immediate control action when they observe egregious inhumane slaughter. The veterinary supervisor verifies humane handling procedures during quarterly reviews and documents these verifications on the Establishment Review Checklist. A thorough data review confirmed that ODAFF inspectors correctly applied inspection methodology and documented noncompliance.

In conclusion, the information supports the fact that ODAFF 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
ODAFF 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.

ODAFF 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 Oklahoma Statutes; and takes enforcement action, when needed, up to and including prosecution of individuals or firms that have violated the Oklahoma Statutes. ODAFF 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.

ODAFF management reviews all compliance reports for correctness, extracts pertinent information for reporting purposes, enters this information in the FSIS In-Commerce System if the cases are followup, and files the hard copies. The program director reviews all violations and relevant evidence, and then determines the appropriate case disposition and course of action.

ODAFF maintains procedures, MPI Notice 801, Recall of Meat and Poultry Products, 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 to notify ODAFF within 24 hours of initiating a recall. ODAFF 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.

ODAFF 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 for collecting and safeguarding evidence; conducting interviews; submitting product samples to the laboratory; initiating recall procedures and/or regulatory and enforcement actions; and reporting potential food safety threats.

ODAFF has a system for reviewing custom exempt operations that is in accordance with FSIS Directive 8160.1, Custom Exempt Review Process. The State veterinarian and director review certification in custom facilities quarterly. The district supervisors conduct custom exempt reviews quarterly.

The submitted documents support the conclusion that ODAFF 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
A desk review of the Oklahoma Department of Agriculture, Laboratory Services Division (ODALS) was performed during FY21 to evaluate laboratory quality assurance programs and method equivalence under the State MPI Program.

Oklahoma conducts microbiological testing for *Salmonella*, *L. monocytogenes*, *E. coli* O157:H7, and non-0157 STEC. Indiana State Department of Health Laboratories (Indiana) conducts chemistry testing on ODALS’ behalf for the measurement of moisture, protein, fat, and salt.
FSIS compared the ODALS Laboratory Quality Assurance Program to the State Meat and Poultry Inspection (MPI) Program Laboratory Quality Management System Checklist and evaluated evidence of laboratory proficiency and analyst training. ODALS met all Laboratory QA requirements. Indiana met all Laboratory QA requirements based on the self-assessment provided by the laboratory.

Indiana has demonstrated adequate food chemistry capability for the measurement of moisture, protein, fat, and salt. Oklahoma has demonstrated adequate microbiological capabilities for detection of *L. monocytogenes*. Oklahoma has adequate microbiology capabilities for the detection of *Salmonella, E. coli* O157:H7 and non-O157 STEC pending resolution of the corrective action submissions in response to the FY21 desk review.

Based on the Component 7 methods and quality assurance program review, contingent on satisfactory resolution of LQARCS reported laboratory findings, Oklahoma 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 Oklahoma is not currently inspecting MPI program poultry establishments slaughtering at least 20,000 chickens and/or turkeys per year.

**Component 8 – Civil Rights**
ODAFF 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. On August 20, 2021, CRS concluded that ODAFF functions “at least equal to” the Federal civil rights requirements.

**Component 9 – Financial Accountability**
ODAFF submitted quarterly and final Financial Status Reports (SF-425), and the 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, Fiscal Guidelines for Cooperative Inspection Programs. As of November 2021, FRSB determined that ODAFF is “at least equal to” Federal standards for financial accountability for FY 2021.

Self-Assessment Determination for Oklahoma
Based on the evidence and review results described above, FSIS determined that ODAFF 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 Oklahoma; and
- An onsite determination for Oklahoma.

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 will send written notification to State MPI program officials at least 30 days prior to the start of the onsite review. CRS are to schedule onsite reviews of 8 (civil rights), 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.
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 Oklahoma
FSIS analyzed all information gathered during the onsite review and ODAFF’s action plan, which addressed the findings identified during the review, to determine whether ODAFF 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 ODAFF, for components 1 through 6, from November 29 to December 9, 2020. Based on records and procedures reviewed, FSAS determined ODAFF 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 SOP 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 ODAFF 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 ODAFF during five official establishment and two custom exempt facility reviews. ODAFF personnel identified several establishment noncompliances during the onsite review, with the Sanitation SOP, Sanitation Performance Standards, slaughter and processing operations, and inspection requirements. The FSAS program auditor identified several establishment noncompliances that State MPI program officials did not recognize. ODAFF officials issued noncompliance records at the time the noncompliances were identified.

On August 25, 2021, ODAFF submitted an action plan to correct the findings identified during the review. The action plan identifies the underlying causes of both the system-wide findings and the specific findings at individual establishments, and includes a verification plan to ensure statewide correction of these findings. In addition, ODAFF provided evidentiary documents to demonstrate verification of establishment compliance with the regulatory requirements.

Component 3 – Sampling Programs
FSAS reviewed ODAFF’s product sampling documents, protocols, procedures, and results presented onsite. These included sampling plans and laboratory results for E. coli O157:H7 and non-O157 STEC in raw non-intact beef products, raw ground beef components, and raw beef manufacturing trimmings, L. monocytogenes and Salmonella in ready-to-eat products, violative drug residues, State laboratory activity reports, and sample seals. Based on records and
procedures reviewed, FSAS determined ODAFF 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 ODAFF 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 ODAFF office and establishment reviews, FSAS concluded that ODAFF 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 ODAFF’s inspection methodology and 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 ante-mortem and common post-mortem determinations, humane handling, HACCP, applicable 9 CFR regulations and application, applicable FSIS directives and notices, PHIS, in-plant training, sampling protocols and purpose, 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 ODAFF 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 ODAFF implements a compliance program in accordance with the submitted self-assessment documentation. These included, but were not limited to, Reports of Investigation, Daily Activity Reports, Programmed Compliance Plans, Case Reports, Reports of Apparent Violations, Signed Statements, Notice of Detention, Notice of Termination of Detention, Personal Use Statements, and Letters of Warning.

The review of compliance documents and case files supports the conclusion that ODAFF 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.

ODAFF 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 Oklahoma Statutes. The Reports of Investigation were completed in accordance with FSIS Directive
8010.4, Report of Investigation. ODAFF uses the investigative findings and evidence to pursue enforcement actions for administrative, civil, or criminal sanctions.

ODAFF follows the recall procedures in Oklahoma MPI Notice 801, Recall of Meat and Poultry Products. No State-inspected establishments or retail firms recalled product during FY 2020.

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

ODAFF has a system for reviewing custom exempt operations that is in accordance with FSIS Directive 8160.1, Custom Exempt Review Process. District supervisors schedule and perform the custom exempt reviews in each custom only facility or official establishment which has custom exempt operations at least quarterly. When the reviewers find insanitary conditions which could adulterate products, they will make a followup visits to verify corrective actions immediately or in a week. Compliance officers and district supervisors communicate with each other when a custom exempt facility is involved in a consumer complaint. No issues were identified with the compliance program.

Component 7 – Laboratory Methods and Quality Assurance Program
LQARCS did not conduct an onsite review of Indiana State Department of Health Laboratories analytical methods in FY 2021. Therefore, the annual determination will be based on the self-assessment review results only.

Component 8 – Civil Rights
In April 2021, CRS conducted a civil rights compliance review of ODAFF. The review assessed ODAFF’s compliance with applicable laws, USDA regulations, and FSIS policies pertaining to civil rights, and provided corrective actions and/or recommendations for improvement as necessary. The review focused on 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 included a review of documents submitted by ODAFF; telephonic interviews with State personnel as well as establishment owners/operators; email exchanges with program staff; and a review of the ODAFF website. The last civil rights compliance review of ODAFF was conducted in April 2018.

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

Notwithstanding this determination, the recommendation under Areas 2, 4, 7 and 8 should be completed and submitted with ODAFF’s next annual self-assessment submission on FSIS Form 1520-1, Civil Rights Compliance of State Inspection Programs, due November 1, 2021. This issue in the report was identified on August 20, 2021.
Component 9 – Financial Accountability
FRSB did not conduct an onsite financial audit and compliance review of ODAFF in FY 2021. Therefore, the annual determination will be based on the self-assessment review results only.

Onsite Determination for Oklahoma
Based on the evidence and results discussed above, FSIS determined that ODAFF 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.