Appendix D

Comprehensive Review and Determination Report

Fiscal Year 2021

Georgia

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 Georgia’s MPI Program ..................................................................................1

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

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

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

Self-Assessment Determination for Georgia ...........................................................................9
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 Georgia 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 Georgia’s MPI Program
The Georgia Department of Agriculture, Animal Industry Division, Meat Inspection Section (GDA/AID/MIS) administers the Georgia MPI program under authority of Official Code of Georgia Annotated (Sections 26-2-20 et seq. or 26-2-60 et seq.). The program verifies compliance and enforces regulatory requirements at 25 inspected facilities and 66 custom exempt establishments. In addition, GDA/AID/MIS provides inspection at 67 facilities in the Federal-State Cooperative Agreement Inspection Program.

Annual Determination
FSIS determined that GDA/AID/MIS is operating a meat inspection program “at least equal to” the Federal requirements. GDA/AID/MIS has adopted laws, regulations, and programs, and has implemented them in a manner that is “at least equal to” the Federal inspection program for all review components. Since GDA/AID/MIS was not subject to an onsite review for Components 1 through 9 during fiscal year (FY) 2021, FSIS based its annual determination on review of the self-assessment documents only. This determination is fully explained in the Review of Georgia’s Self-Assessment Submission section. The last onsite review conducted of the GDA/AID/MIS by the FSAS was August 17 through 27, 2020.

Self-Assessment Review Methodology
The annual self-assessment process is designed for each State to provide sufficient information to adequately demonstrate their administration of an “at least equal to” State MPI program. The review objective is to determine whether a State continues to administer an MPI program that meets Federal standards set for ensuring meat and poultry products are safe, wholesome, unadulterated, and correctly labeled and packaged. Each review cycle, State MPI program officials are to complete and submit self-assessment component surveys, supporting documentation and other self-assessment instruments to FSIS in accordance with the State Reporting and Communication Tool User Guide and FSIS “At Least Equal To” Guideline for State Meat and Poultry Inspection Programs.

FSIS begins the annual comprehensive review by assembling a review team comprised of subject matter experts from various FSIS program areas to review the nine components of the comprehensive review process. The review team, comprised of Agency representatives from the

---

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.
Federal-State Audit Staff (FSAS); the 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. During the desk review process, the Office of Policy and Program Development and the Office of Field Operations are consulted as needed to gain context and perspective on current FSIS programs, policies, and procedures when determining whether a State MPI program meets Federal “at least equal to” standards.

If questions arise during the desk review or if additional documentation is needed to make a review determination regarding one or more components, FSIS will request clarifying information from the State MPI program. Upon completion of the desk review, FSIS makes one of the following three determinations for each component and for the non-designated 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 Georgia’s Self-Assessment Submission
FSIS evaluated the self-assessment documents for the applicable review components to determine whether GDA/AID/MIS constitutes an inspection program “at least equal to” the Federal program. The determination and rationale for each review component are listed below.

FSAS received GDA/AID/MIS’ complete self-assessment submission for components 1 through 6 on July 22, 2021. FSAS sent a notification to GDA/AID/MIS requesting additional information. GDA/AID/MIS 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 9, 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 Official Code of Georgia Annotated (Titles 2, 16, and 26) and Georgia Department of Agriculture, Meat

---

3 Non-designated State is a State that operates an MPI program under a cooperative agreement with FSIS. The State MPI program must administer inspection and food safety requirements “at least equal to” those imposed under the Federal Meat and Inspection Act, Poultry Products Inspection Acts and Humane Methods of Slaughter Act of 1978.
Inspection rules (Chapter 40-10). The Official Code of Georgia Annotated provides authorities for mandatory ante-mortem and post-mortem inspection, and reinspection (Sections 26-2-102 through 26-2-104), sanitation requirements (Section 26-2-108), record-keeping requirements (Section 26-2-132), and humane methods of slaughter requirements (Sections 26-2-102 and 26-2-110).

In addition, the Official Code of Georgia Annotated provides authorities that are “at least equal to” the FMIA and PPIA regarding adulteration (Sections 26-2-26 and 26-2-62), misbranding (Sections 26-2-28 and 26-2-62), prohibited acts (Sections 26-2-22, 26-2-110, and 26-2-114), access and examination (Sections 26-2-36 and 26-2-132), and product control actions (Sections 26-2-84 and 26-2-85). It also includes sufficient authorities for criminal, civil, and administrative sanctions to address violators.

The Official Code of Georgia Annotated grants the authority to promulgate rules and regulations (Section 26-2-80) and Georgia adopts by reference Title 9, Code of Federal Regulations (9 CFR), Chapter III, Parts 307, 309–311, 313–320, 325, 329, 381, 416, 417, 424, 430, 441, 442, and 500 in the Georgia Department of Agriculture, Meat Inspection rules (Section 40-10-1-.01). Although GDA/AID/MIS did not adopt by reference 9 CFR Parts 304, 412, and 418, Georgia Department of Agriculture, Meat Inspection rules prescribes “at least equal to” standards for the application for inspection, label approvals, and recall principles (Sections 40-10-1-.05, 40-10-1-.19, 40-10-1-.26, 40-10-2-.07, and 40-10-2-.18).

GDA/AID/MIS provided evidence concluding that it operates under State laws and regulations that provide legal authority “at least equal to” that provided under the FMIA and HMSA, and the accompanying regulation.

Component 2 – Inspection
FSAS compared the self-assessment submission and supporting documentation regarding inspection policies and procedures and regarding verification of establishments’ compliance, to the Federal requirements. GDA/AID/MIS uses the FSIS Public Health Information System (PHIS) to schedule inspection tasks and to collect, consolidate, and analyze inspection data. GDA/AID/MIS administers inspection for any meat product intended for human consumption, wholly or in part, from the carcass or parts of any animal defined as “livestock” in the Georgia Code section 26-2-62. 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, GDA/AID/MIS 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, GDA/AID/MIS schedules and performs a comprehensive food safety assessment (FSA) at each inspected establishment 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. The PHRE and FSA records support the conclusion that State inspection personnel recognize and document noncompliance and initiate appropriate regulatory actions.

GDA/AID/MIS verifies establishment compliance with the non-food safety (i.e., labeling) consumer protection regulatory requirements. GDA/AID/MIS uses applicable FSIS directives to instruct inspection personnel, and uses PHIS to schedule ongoing verifications and document noncompliance. A thorough review of the PHIS supports the conclusion that GDA/AID/MIS inspectors correctly apply inspection methodology and document noncompliance.

GDA/AID/MIS 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 product, an establishment representative must submit a completed application for label approval and a label sketch to obtain approval from GDA/AID/MIS.

GDA/AID/MIS enforces the Georgia Department of Agriculture, Meat Inspection rules (Section 40-10-1-.01), which adopt 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. GDA/AID/MIS has procedures to document relevant facts for administrative actions, and to ensure that administrative actions are factual and based on legal authority. The narrative descriptions, policies, and supporting documents show that GDA/AID/MIS’ inspection system includes due process, withholding and suspension actions, and verification activities.

GDA/AID/MIS has a system for reviewing custom exempt operations that is in accordance with FSIS Directive 8160.1, Custom Exempt Review Process. District supervisors or relief inspectors conduct at least once a year reviews at the custom exempt facilities including followup reviews within 60 days if needed.

The submitted documents support the conclusion that GDA/AID/MIS:

- 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
FSAS compared GDA/AID/MIS’ sampling protocols, procedures, and results to Federal policies and procedures.

GDA/AID/MIS 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. GDA/AID/MIS developed policies to respond to positive results. These policies include actions to prevent adulterated product from entering commerce. GDA/AID/MIS participates in the FSIS National Residue Program and collects and analyzes inspector-generated samples for violative drug residues.

A detailed review of the sampling methods, protocols, procedures, and results confirmed that GDA/AID/MIS 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. GDA/AID/MIS also has control measures in effect to confirm that its product sampling system functions as intended.

Component 4 – Staffing, Training, and Supervision
GDA/AID/MIS 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 GDA/AID/MIS program manager and district supervisors develop inspectors’ weekly work assignments and schedule relief inspectors to cover vacant work assignments as needed within each supervisory district. GDA/AID/MIS veterinarians perform as district supervisors and cover one of each of the five geographical districts. Each supervisor is available to fill inspection assignments during emergency leave or insufficient staffing circumstances. To verify daily inspection assignment coverage, supervisors review weekly time sheets and inspection data, and make unannounced establishment visits and telephone calls. Supervisors also verify employees’ work performance and monitor daily inspection coverage, through In-Plant Performance System (IPPS) assessments.

At the start of the FY 2021 review cycle, GDA/AID/MIS indicated they employ 1 director, 1 assistant director, 3 managers, 4 district veterinarians, 5 district supervisors, 39 full-time
inspectors, 8 part-time inspectors, 10 relief inspectors, 3 administrative assistants, 1 EIAO, 1 compliance supervisor, and 2 full-time compliance officers as of October 1, 2020.

GDA/AID/MIS 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 SOPs and HACCP procedures. The program has a designated on-the-job-trainer to provide new inspectors with administrative orientation followed by additional training on inspection duties. The training subjects include livestock inspection, slaughter inspection, processing inspection, HACCP, Sanitation SOPs, and sanitation performance standards. GDA/AID/MIS also provides employees with inspection methods training after they complete their six-month probationary period. GDA/AID/MIS maintains a record keeping system to track participation and completion of training.

GDA/AID/MIS administers the State of Georgia Performance Management Form system to set performance standards and evaluate job performance. This performance evaluation system communicates to its employees their work responsibilities, performance goals and objectives, and annual performance evaluation and mid-cycle progress review results. GDA/AID/MIS incorporates the guidance in FSIS Directive 4430.3, In-Plant Performance System (IPPS), to set performance standards, and complete and record ongoing performance evaluations. A supervisor performs at least two IPPS assessments for each inspector annually. For newly hired employees, the supervisor will perform an IPPS assessment at the end of each employee’s probationary period. GDA/AID/MIS maintains control measures to examine the IPPS assessments for quality, completeness, and accuracy.

After thorough review of the submitted documents, FSAS concluded that GDA/AID/MIS has sufficient resources to provide the required inspection coverage at State-inspected establishments to ensure that only safe, wholesome, unadulterated, and properly labeled meat products receive the State mark of inspection. The information supports the conclusion that inspection personnel have the education and training needed to apply GDA/AID/MIS’ inspection methodology, to document findings, and to initiate regulatory actions, when necessary. Control measures are in effect to confirm that GDA/AID/MIS’ staffing and training systems function as intended.

Component 5 – Humane Handling
GDA/AID/MIS 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.

GDA/AID/MIS uses FSIS Directive 6900.2, Humane Handling and Slaughter of Livestock, to communicate instructions to inspection personnel. Inspectors perform humane handling verification procedures each day an establishment slaughters livestock and record the results in PHIS. In addition to inspectors’ routine humane handling verifications, GDA/AID/MIS veterinary medical officers or district supervisors confirm livestock are handled humanely during routine establishment visits or IPPS reviews. At least annually, district veterinarians perform humane handling reviews to specifically examine humane handling practices implemented at establishments slaughtering livestock, and will perform followup humane handling assessments
as deemed necessary. Annual humane handling reviews are performed in accordance with FSIS Directive 6910.1, District Veterinary Medical Specialist (DVMS) – Work Methods.

The information supports the conclusion that GDA/AID/MIS 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
GDA/AID/MIS personnel conduct in-commerce surveillance of persons or firms that prepare, transport, sell, or offer for sale meat products in intrastate commerce to verify compliance with State statutory and regulatory requirements, and to verify that meat products in intrastate commerce are wholesome; correctly packaged and labeled; and secure from threats or intentional acts of contamination.

GDA/AID/MIS 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 Official Code of Georgia Annotated; and takes enforcement action, when needed, up to and including prosecution of individuals or firms that have violated the Official Code of Georgia Annotated. GDA/AID/MIS 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 products.

GDA/AID/MIS 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.

GDA/AID/MIS maintains procedures for the recall of meat 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 GDA/AID/MIS within 24 hours of initiating a recall. GDA/AID/MIS oversees the recall activities, coordinates actions to determine whether adulterated product was removed from commerce, and issues press releases as necessary to serve the interest of public health.

GDA/AID/MIS established methods to record, triage, analyze, and track consumer complaints related to State-regulated meat 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.

The submitted documents support the conclusion that GDA/AID maintains a system to verify compliance of meat 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**

An off-site records review of Georgia Department of Agriculture Food Safety Laboratory (GDAFSL) was performed in FY 2021 to evaluate laboratory quality assurance (QA) programs and method equivalence under the State MPI program.

GDAFSL conducts microbiological testing for *Salmonella*, *E. coli* O157:H7, non-O157 STEC, and *L. monocytogenes*. The Wisconsin Department of Agriculture, Trade and Consumer Protection Bureau of Laboratory Services (Wisconsin) conducts food chemistry testing on behalf of GDAFSL for moisture, protein, fat, and salt.

LQARCS compared the GDAFSL 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. Based on their self-assessment, GDAFSL met all Laboratory QA requirements including analysts’ training and related proficiency testing. Wisconsin met all Laboratory QA requirements based on the self-assessment provided by the laboratory.

Wisconsin has demonstrated adequate food chemistry capability for the measurement of moisture, protein, fat, and salt. GDAFSL has demonstrated adequate microbiological capabilities for detection of *Salmonella*, *E. coli* O157:H7, non-O157 STEC, and *L. monocytogenes*.

Based on the Component 7 methods and QA program review, GDA/AID/MIS 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: Georgia does not currently inspect poultry establishments, so methods for analysis of *Salmonella* and *Campylobacter* in raw poultry products were not evaluated.
Component 8 – Civil Rights
In November 2020, GDA/AID/MIS submitted the required FSIS Form 1520-1, Civil Rights Compliance of State Inspection Programs, to demonstrate adherence to Federal civil rights laws and the USDA’s civil rights regulations. On April 19, 2021, CRS concluded that GDA/AID/MIS functions “at least equal to” the Federal civil rights requirements.

Component 9 – Financial Accountability
GDA/AID/MIS submitted quarterly and final Financial Status 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, Fiscal Guidelines for Cooperative Inspection Programs. FRSB determined that GDA/AID/MIS is “at least equal to” Federal standards for financial accountability for FY 2021.

Self-Assessment Determination for Georgia
Based on the evidence and review results described above, FSIS determined that GDA/AID/MIS provided adequate documentation to show it is operating a meat and poultry inspection program “at least equal to” the Federal requirements.