

From: Chris Jenkins

Sent: Wednesday, January 24, 2024 7:27 AM

To: FSIS Petitions - FSIS

Subject: RE: Comment to Strike down Animal Partisan Petition (#23-07)

To whom it may concern,

I am writing to request this petition be denied to Animal Partisan based on Federal Inspection (21 U.S.C. 601, et seq.) this is published guidance from USDA.

The Federal Meat Inspection Act (FMIA) requires that all meat sold commercially be inspected and passed to ensure that it is safe, wholesome, and properly labeled. The USDA Food Safety and Inspection Service (FSIS) is responsible for providing this inspection.

*The FMIA requires inspection for any product intended for human consumption, wholly or in part, from the carcass or parts of any cattle, sheep, swine, and goat. These animals, defined as "livestock" in the regulations, **must be slaughtered and processed under Federal inspection, and the meat food products must be inspected and passed for human consumption.***

- *Food products from animals not subject to inspection under the FMIA (nonamenable species) are subject to regulation by the U.S. Food and Drug Administration (FDA) and State and local authorities.*

Federal inspection personnel must be present at all times during livestock slaughter operations and for at least part of each shift during which there is further processing of meat products.

In slaughter plants, inspection personnel verify the humane handling of animals and conduct antemortem inspections to ensure that the live animal is fit for slaughter.

These inspection personnel also conduct post-mortem inspections to ensure that the meat from the carcass and internal organs are fit for human food. When meat is distributed to other federally inspected establishments for further processing, the product is inspected to ensure that the product is safe, wholesome, and correctly labeled and packaged. Inspected establishments must maintain and follow written Sanitation Standard Operating Procedures (SSOP) and Hazard Analysis and Critical Control Point (HACCP) plans.

In addition to inspecting the meat products, inspection personnel inspect the facilities and equipment to ensure sanitary conditions are maintained. FSIS also reviews records to ensure they accurately document establishment verification that the meat food products comply with all applicable requirements.

Retail/Restaurant/Central Kitchen

Exemption (9 CFR 303.1(f)(iv)(a)(6))

Operations traditionally and usually conducted at retail stores, restaurants, and retail-type establishments that offer meat and meat food products for sale or service to household consumers generally are exempt from mandatory inspection.

Only inspected and passed meat and meat food products (those bearing a mark of inspection) may be used in the preparation of products sold (including meals) at retail stores or restaurants.

Sales must be in normal retail quantities, and certain Federal requirements apply (e.g., safe handling labels are required for raw product). Retail stores may prepare product for sale to other than household consumers (i.e., hotels, restaurants, or similar institutions (HRI)), but such HRI sales are limited to the annual dollar value or percentage of total retail sales specified by FSIS regulations (<http://www.fsis.usda.gov/wps/wcm/connect/caa3b2a4-cb0f-4835-a112-fb216ea3db72/2015-0009.pdf?MOD=AJPERES>). HRI sales also are limited by regulation to certain kinds of products (9 CFR 303.1(d) (2)).

Under certain conditions, products may be prepared at a restaurant central kitchen for sale in another facility without the benefit of inspection. To qualify, such products must be ready-to-eat when they leave the facility and safely transported under strict temperature controls to the destination restaurant where the product will be reheated and served to the end consumer. Product prepared at a central kitchen may only be transported to and prepared by restaurants under the same ownership.

Operations exempt from inspection under the FMIA may be regulated and inspected under State and local laws.



United States
Department of
Agriculture

The Food Safety Inspection Service (FSIS) is the public health agency in the U.S. Department of Agriculture responsible for ensuring that the Nation's commercial supply of meat, poultry, and egg products is safe, wholesome, and correctly labeled and packaged.



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United States
Department of
Agriculture

Summary of Federal Inspection Requirements for Meat Products

Food Safety and Inspection Service



Slightly Revised September 2015

Inspection Requirement:

Meat products intended for commercial sale must be inspected.



Federal Inspection

(21 U.S.C. 601, et seq.)

The Federal Meat Inspection Act (FMIA) requires that all meat sold commercially be inspected and passed to ensure that it is safe, wholesome, and properly labeled.

The USDA Food Safety and Inspection Service (FSIS) is responsible for providing this inspection.

The FMIA requires inspection for any product intended for human consumption, wholly or in part, from the carcass or parts of any cattle, sheep, swine, and goat. These animals, defined as "livestock" in the regulations, must be slaughtered and processed under Federal inspection, and the meat food products must be inspected and passed for human consumption.

Food products from animals not subject to inspection under the FMIA (nonamenable species) are subject to regulation by U.S. Food and Drug Administration (FDA) and State and local authorities.

Federal inspection personnel must be present at all times during livestock slaughter operations and for at least part of each shift during which there is further processing of meat products.

In slaughter plants, inspection personnel verify the humane handling of animals and conduct ante-mortem inspection to ensure that the live animal is fit for slaughter. These inspection personnel also conduct post-mortem inspection to ensure that the meat from the carcass and internal organs are fit for human food. When meat is distributed to other federally inspected establishments for further processing, the product is inspected to ensure that the product is safe, wholesome, and correctly labeled

and packaged. Inspected establishments must maintain and follow written Sanitation Standard Operating Procedures (SSOP) and Hazard Analysis and Critical Control Point (HACCP) plans.

In addition to inspecting the meat products, inspection personnel inspect the facilities and equipment to ensure sanitary conditions are maintained. FSIS also reviews records to ensure they accurately document establishment verification that the meat food products are in compliance with all applicable requirements.

State Inspection

(21 U.S.C. 661)

Establishments that produce meat products sold entirely within a State require Federal inspection unless they are regulated under a State Meat and Poultry Inspection (MPI) program.

These State MPI programs are required to enforce requirements "at least equal to" those imposed under the Federal Acts.

State MPI programs certify annually, and FSIS reviews each State MPI program annually to determine whether each program meets the requisite "at least equal to" standard. As of September 2015, 27 States maintain cooperative agreements with FSIS to administer MPI programs, and FSIS reimburses a portion of the State's operating costs.

Exemptions: *Certain meat products may be exempt from inspection requirements. However, they are still subject to the adulteration and misbranding provisions of the FMIA.*

Personal/Individual Use Exemption

(9 CFR 303.1(a)(1))

Under certain conditions, a person may slaughter/prepare livestock of his/her own raising for the exclusive use by him/her, members of his/her family, and his/her non-paying guests without the benefit of inspection. Absolutely no product produced under this exemption may be sold commercially.

Custom Exemption

(9 CFR 303.1(a)(2))

A custom-exempt establishment is one that slaughters and prepares livestock belonging to someone else for the exclusive use of that person. The custom-exempt facility provides a service for the livestock owner; it is not producing commercial product.

Custom-exempt facilities are exempt from the FMIA requirements for carcass-by-carcass inspections and the daily presence of inspectors during operations. Even so, the facility is not exempt from the adulteration, misbranding, and certain record-keeping provisions of those statutes.

Custom-exempt establishments are reviewed periodically to verify that facilities are maintained and operated in a manner that produces a safe, clean, and wholesome meat food product in a sanitary environment and are otherwise complying with the FMIA.



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I feel these requests would only serve to add greater confusion to an industry that has become riddled with gray areas and misinterpretations due to these types of requests.

State Inspection (21 U.S.C. 661) of the FMIA clarifies in great detail the cooperation of Federal and State agencies as written by Congress.

Additionally, (21 U.S.C. 661.1) details establishments that produce meat products sold entirely within a State are regulated under a State Meat and Poultry Inspection (MPI) program.

I feel there is plenty of clarity already any additional notices or directives could create greater confusion or misinterpretation.

Thank you in advance for your time and consideration regarding this matter.