Cooperative Interstate Shipment

What is it? What are the rules?

Dr. Kathryn Polking, Bureau Chief
Iowa Meat and Poultry Inspection Bureau
What is CIS??

- Program that allows selected state-inspected establishments to ship products across state lines
- State inspectors perform all day-to-day inspection tasks
- Federal reviewer (“Selected Establishment Coordinator” or designee) visits quarterly to semi-annually
- Products receive a round, federal-style inspection mark
History of CIS

- Enacted as part of the 2008 Farm Bill (July 18th, 2008)
- Federal Meat Inspection Act and Poultry Products Inspection Act amended “to establish a cooperative inspection program under which certain small and very small State-inspected establishments will be eligible to ship meat and poultry products in interstate commerce”
- Limited to establishments located in States with an “at least equal to” State inspection program
Current CIS participation

- Ohio: August 8, 2012
  - 25 establishments
- North Dakota: January 11, 2013
  - 4 establishments
- Wisconsin: January 14, 2013
  - 18 establishments
- Indiana: April 7, 2014
  - 13 establishments
- Maine: August 27, 2018
  - 2 establishments
- Missouri: July 3, 2019
  - No establishments (yet)
Eligibility for CIS: State program

- State program applies by submitting a written request to participate to the FSIS District Office covering that State (Des Moines DO for Iowa)

- State program must show that its legal authority (to enforce FMIA/PPIA), training, staffing, computer systems, and laboratory services meet the same requirements as federal inspection (“same as” vs. “equal to”)

- On acceptance, the Cooperative Agreement is drafted and signed
Major “must haves”:

- Able to enforce 9CFR Part 500 “Rules of Practice”
- Use of same computer system (PHIS)
- Inspectors must attend federal training courses
- Laboratory must use same methods (and technology)
Iowa’s CIS request

- Interest in CIS at the time of 2019 IMPA convention
- March 29th- small-group meeting in Des Moines
  - Ty Gustafson, Brenda Martin, and Dr. Cordray met with IDALs reps and Tom Beck
  - Discussed interest in the program, and feasibility of initiating
- April- survey of establishment interest
  - 31 “definitely interested”
- May 6th- stakeholder meeting with Secretary Naig
  - Attended by IMPA leaders and members, livestock industry reps, and ISU experts
  - After consideration of costs and benefits, Secretary Naig elected to pursue the program
Current status of Iowa request

- Written request submitted to Des Moines DO June 14th 2019

- Returned with three questions:
  - Legal authority: resolved
  - Support for computer systems: resolved
  - Laboratory methodology: pending
    - New protein analyzer being purchased
    - All other methods updated and acceptable

- Arrival of the protein analyzer should resolve the last concern and allow the agreement to be drafted
Other preparations:

- Changes to Iowa’s Administrative Code to adopt the CIS rules (9CFR Part 332; 9CFR 381, Subpart Z) have been submitted and approved through the Rules Committee.
- Inspectors with interested plants are attending federal training (Inspection Methods course).
- Application form and process drafted.
Eligibility for CIS: establishments

- Must be a current, officially-inspected plant (in good standing)
- Must be recommended for selection by the State program
- Must have an average of 25 or fewer employees (over the past year)
- Must **NOT:**
  - Be a federal establishment
  - Have been a federal establishment/been shipping interstate as of June 18, 2008 (date of CIS enactment)
  - Have had more than 25 employees as of June 18, 2008
Application process for establishments

- Notify Bureau of desire to participate
- Submit application form
- Submit new master label for CIS (showing the CIS mark of inspection)
- Request and return label resume, indicating which products will be produced for interstate shipment
  - All currently-approved, official formulations are eligible
  - You may choose to produce all, or only some products for CIS
Draft application form:

Cooperative Interstate Shipment (CIS) Program Application
Iowa Meat and Poultry Inspection Bureau (IMPIB)

Selected Establishment Checklist – Completed by Establishment

<table>
<thead>
<tr>
<th>ESTABLISHMENT INFORMATION</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Est. Name:</td>
<td></td>
</tr>
<tr>
<td>Est. Number:</td>
<td></td>
</tr>
<tr>
<td>Est. Address:</td>
<td></td>
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<tr>
<td>Est. Contact Name:</td>
<td></td>
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<tr>
<td>Est. Contact Phone Number:</td>
<td></td>
</tr>
<tr>
<td>Est. Contact Email Address:</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>EMPLOYEES</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ Average number of employees &lt; 25 over a twelve month period</td>
</tr>
<tr>
<td>□ Maximum number of employees &lt; 35 for any given pay period</td>
</tr>
</tbody>
</table>

Average and maximum number of employees per pay period over past 12 months: _______ / _______
State review process

- Verify eligibility
- Review master label for CIS
- Schedule and perform Food Safety Assessment
  - Abbreviated FSA if the establishment has a recent, previous review
  - Full FSA if no recent review
- Work with establishment to resolve any concerns
- Recommend for selection when all criteria are met (and we’re confident your establishment will pass the federal review)
Federal review process

- Selected Establishment Coordinator (SEC) or designee conducts an initial and (if necessary) a follow-up visit of each recommended establishment

- Visit includes:
  - Entrance and exit meetings and completion of required documents
  - Review of employee numbers
  - Review of example CIS labels
  - Review of grounds, facilities and equipment
  - Review of SOPs, HACCP plans, recall plan, and Listeria program (if applicable)

- Purpose of initial visit: does the establishment meet basic requirements??
Follow up review

- If concerns or deficiencies are identified on the initial visit, the SEC will discuss these with the establishment and State personnel
- Establishment completes any necessary actions to resolve the concerns
- State program notifies the District Office when establishment is ready for a follow-up visit
- Follow-up visit is scheduled to verify completion of the actions
- Establishments that meet all necessary Federal standards and requirements are recommended for selection
- An establishment that does not pass on the second, follow-up survey may not reapply for one year
The survey checklist: what will the reviewer be looking for?

- Survey checklist is included as Attachment 3 to Directive 5740.1 on CIS
- This checklist was developed for Federal plants; a few items will not apply

Self-explanatory

Attachment 3 – Survey Checklist

<table>
<thead>
<tr>
<th>SELECTED ESTABLISHMENT COORDINATOR ON-SITE SURVEY CHECKLIST</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. District/Circuit Code</td>
</tr>
<tr>
<td>4. Establishment Name</td>
</tr>
<tr>
<td>6. Establishment Telephone Number</td>
</tr>
</tbody>
</table>
### I. Required Documents

<table>
<thead>
<tr>
<th>Categories</th>
<th>Comply</th>
<th>Does not comply</th>
</tr>
</thead>
<tbody>
<tr>
<td>Written Sanitation SOP</td>
<td></td>
<td></td>
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<tr>
<td>Written HACCP plan</td>
<td></td>
<td></td>
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<tr>
<td>Water potability certification</td>
<td></td>
<td></td>
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<tr>
<td>Sewage certification</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other certification (e.g., inedible)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>BSE-SRM 310.22 (if applicable)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### II. Marks of Inspection

<table>
<thead>
<tr>
<th>Categories</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Labels</td>
<td></td>
</tr>
<tr>
<td>Brands</td>
<td></td>
</tr>
<tr>
<td>Security for accountable items</td>
<td></td>
</tr>
</tbody>
</table>

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- **Check over and update**
- **If you slaughter cattle, what is your (written) procedure for SRM removal?**
- **You will need to have example CIS labels ready for the reviewer**
- **The reviewer will provide the brand authorization at the (successful) review**
- **Inspector’s lockbox for brands and important documents**
### Basic Facility Requirements

- Sound construction, good repair, clean

#### If you will be producing both CIS and State, retail or custom products, you must have an SOP for time/space separation

#### N/A - up to the State

#### Must meet basic requirements: sufficient clean water for processing, good drainage, proper disposal of sewage, no backflow
### Survey checklist - continued

<table>
<thead>
<tr>
<th>Categories</th>
<th>Comply</th>
<th>Does not comply</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>IV. Safety</strong></td>
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<td></td>
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<tr>
<td>Lock-out/Tag-out</td>
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<td></td>
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<tr>
<td>Adequate exits</td>
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<tr>
<td>Hazards</td>
<td></td>
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<tr>
<td><strong>V. Facilities &amp; Equipment</strong></td>
<td></td>
<td></td>
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<tr>
<td>Welfare facilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Outside premises (includes pest and rodent control)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ante-mortem</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facilities &amp; lighting</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Suspect pan facilities/lighting</td>
<td></td>
<td></td>
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<tr>
<td>Animal humane facilities &amp; DVMS verification</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- N/A; up to State
- Are there enough emergency exits? Any major safety hazards?
- Are your restroom and breakroom clean and in good working order? Does the sink have hot and cold water, soap, and towels?
- Fill in openings, no harborage areas, check traps, etc.
- Holding pens, alleys, knock-box, etc. in good repair; stunning equipment in good working order; adequate space and lighting for ante-mortem; good animal-handling practices (don’t forget water!)
### Survey checklist - continued

**Tags ok; but it’s good to designate a space to retain or hold products**

**More important for slaughter facilities**

**Be ready to demonstrate this! (W2s, pay records)**

**Adequate room and lighting for inspector**

**Good repair, clean, etc.**

**Can produce both CIS and State products if desired**

**N/A**

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Post-mortem</strong></td>
<td></td>
<td></td>
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<tr>
<td>Facilities &amp; equipment</td>
<td></td>
<td></td>
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<tr>
<td>Lighting</td>
<td></td>
<td></td>
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<tr>
<td>Retained product facilities</td>
<td></td>
<td></td>
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<tr>
<td>Condemned/Inedible facilities</td>
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<td></td>
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<tr>
<td><strong>Processing</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facilities &amp; equipment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retained product facilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Condemned/Inedible facilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Establishment employs fewer than 25 employees on average under 9 CFR 332.3(b) or 381.513(b)</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Dual Operations Establishment (produces product under CIS program and State MPI program)</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Conditional Grant for CIS program</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>
Recall plan

- Not on the survey checklist, but required!
- Find it, dust it off, and know what it says!
- Consider doing a mock recall exercise to practice
- Compliance guide available through FSIS:
  - “How to Develop a Meat and Poultry Product Recall Plan”
Common problems found during Federal surveys

- Employee numbers: insufficient records available
  - Have employment records ready - must show an average of <25 employees over the past 12 months (and never >35)
  - If close to the limit, may need to show employee duty descriptions

- Recall plan does not meet standards

- No written SOP for separation of CIS operations from State, retail or custom

- Errors in generic *E. coli* sampling and analysis

- Labels: must have example CIS labels ready for the Federal reviewer (we will review these in advance)
Ongoing reviews

- Following selection and the start of CIS operations, the SEC or designee will return for regular, follow-up visits.
- Visits are quarterly for the first year, and semi-annual thereafter (assuming no major issues).
- These routine visits focus on whether State inspection staff are continuing to uphold standards and provide “same-as” inspection.
- Routine reviews will assess the condition of the plant, review HACCP, SOP and other recent records, sampling, inspection records (e.g. NRs and MOIs), etc.
- Note: the SEC has authority to take action if they observe violations.
What if...?

- . . . we’re a new plant?
  - You must validate your HACCP plan(s) before we will review and recommend your facility for selection (90 days)

- . . . we want to start a new HACCP category?
  - We will review the new plan (as per our usual process), and approve to begin when ready

- . . . we don’t have an inspector’s office/locker room/etc.?
  - As long as the State deems it adequate, it’s ok. (That desk in the corner is fine. But if you’re feeling generous, we won’t say “no”!)
What if... 

- If we don’t have a separate RTE cooler/packaging area?
  - If you cannot separate by space, you must separate by time.
  - Do you have solid separation and clean-up procedures in place?

- If we exceed the 25 employee limit in the future?
  - You will need to transition to Federal inspection.

- If we want to export product to another country?
  - You can do that. (But there’ll be some big hoops to jump through, so please ask well in advance).

- If we have a serious violation and get suspended?
  - Let’s talk about deselection...
Deselection- reasons and consequences

- Deselection becomes a possibility when a selected establishment is suspended for any of the reasons listed in 9CFR 500.3 or 500.4
  - Examples: shipped adulterated product, no or inadequate HACCP plan, assault/intimidation of an inspector, violation of a regulatory control action (“crossed a tag”), egregious humane handling violations
  - (Note: all of these are serious violations that would put you in “hot water” with our Bureau as well)
- Decision to deselect (or not) is made by the SEC and District Manager (DM)
Deselection: reasons and consequences

- SEC and DM will consider: the event leading to suspension, the establishment’s compliance history, and whether the establishment’s proposed corrective actions will adequately address the deficiencies and ensure safety of all affected products.
- If deselected, the establishment must transition to Federal inspection.
- Deselected establishments must remain under Federal inspection for one year before transitioning back.
- In short: to be deselected, you must have a serious violation- and fail to adequately correct it.
Termination of the CIS agreement

- FSIS can choose to terminate the entire CIS program agreement if:
  - The State fails to conduct inspection services in a manner that complies with FMIA/PPIA
  - State personnel are not providing inspection services in the same manner as Federal inspection personnel
  - The State receives notification and has a chance to correct the deficiencies
  - This has never happened to a state (and we’d like to keep it that way)
Reasons to consider CIS

- You are located near a border
- You have a specialty product and would like to expand distribution
- You sell products online, and have interested customers from other states
  - According to current FSIS interpretation of the statutes, state-inspected products can’t even (legally) be shipped to *individuals* in other states
- You provide processing services for third-party livestock producers
- Others??
References and further reading

- Directive 5740.1: Cooperative Interstate Shipment Program
- 9CFR Part 332 (red meat) and 381 Subpart Z (poultry)
- 21 USC Section 683: Interstate shipment of meat inspected by Federal and State agencies for certain small establishments
Thanks to:

- IMPA leadership
- Dr. Cordray, Brenda Martin and Dave Swenson
- Livestock industry representatives
- IDALS and State Program colleagues
- Secretary Naig
- Mr. Tom Beck and FSIS colleagues
Questions??
Contact information:

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  - Janis.Hochstetler@iowaagriculture.gov
  - 515-281-8858
- Meat and Poultry Bureau website
  - https://iowaagriculture.gov/meat-poultry-inspections-bureau