

Cooperative Interstate Shipment

What is it? What are the rules?

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IOWA DEPARTMENT OF
**AGRICULTURE &
LAND STEWARDSHIP**

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:



IOWA DEPARTMENT OF
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Mike Naig
Secretary of Agriculture

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

Selected Establishment Checklist – Completed by Establishment

| ESTABLISHMENT INFORMATION | |
|---|--|
| Est. Name: <input type="text"/> | Est. Number: <input type="text"/> |
| Est. Address: <input type="text"/> | Est. Contact Name: <input type="text"/> |
| Est. Contact Phone Number: <input type="text"/> | Est. Contact Email Address: <input type="text"/> |
| EMPLOYEES | |
| <input type="checkbox"/> Average number of employees < 25 over a twelve month period | |
| <input type="checkbox"/> Maximum number of employees < 35 for any given pay period | |
| 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

| SELECTED ESTABLISHMENT COORDINATOR ON-SITE SURVEY CHECKLIST | | |
|---|--------------------------|-------------------|
| 1. District/Circuit Code | 2. Establishment Number | 3. Date of Survey |
| 4. Establishment Name | 5. Establishment Address | |
| 6. Establishment Telephone Number | | |

Survey checklist- continued

| Categories | Comply | Does not comply |
|--------------------------------------|--------|-----------------|
| I. Required Documents | | |
| Written Sanitation SOP | | |
| Written HACCP plan | | |
| Water potability certification | | |
| Sewage certification | | |
| Other certification (e.g., inedible) | | |
| BSE-SRM 310.22 (if applicable) | | |
| II. Marks of Inspection | | |
| Labels | | |
| Brands | | |
| Security for accountable items | | |
| | | |

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

Survey checklist- continued

| | | |
|---|---|--|
| III. Building Construction | | |
| Buildings, structures, & rooms | ← | |
| Walls | | |
| Floors | | |
| Ceilings | | |
| Doors | | |
| Ventilation in production areas | | |
| Ventilation in welfare facilities | ← | |
| Separation of official selected establishment operations and non-official selected establishment operations | ← | |
| Facilities for Program Employees | ← | |
| Plumbing | ← | |
| Water supply & distribution | | |
| Drains | ← | |

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

N/A; up to State

| Categories | Comply | Does not comply |
|---|--------|-----------------|
| IV. Safety | | |
| Lock-out/Tag-out | | |
| Adequate exits | | |
| Hazards | | |
| V. Facilities & Equipment | | |
| Welfare facilities | | |
| Outside premises (includes pest and rodent control) | | |
| Ante-mortem | | |
| Facilities & lighting | | |
| Suspect pan facilities/lighting | | |
| Animal humane facilities & DVMS verification | | |

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

| | | | |
|---|------------|-----------|--|
| Post-mortem | | | |
| Facilities & equipment | | | |
| Lighting | | | |
| Retained product facilities | | | |
| Condemned/Inedible facilities | | | |
| Processing | | | |
| Facilities & equipment | | | |
| Retained product facilities | | | |
| Condemned/Inedible facilities | | | |
| | Yes | No | |
| Establishment employs fewer than 25 employees on average under 9 CFR 332.3(b) or 381.513(b) | | | |
| Dual Operations Establishment (produces product under CIS program and State MPI program) | | | |
| Conditional Grant for CIS program ³ | | | |

N/A

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”
 - ▶ https://www.fsis.usda.gov/shared/PDF/RecallPlanBooklet_0513.pdf

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. . .

- ▶ . . .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?
- ▶ . . .we exceed the 25 employee limit in the future?
 - ▶ You will need to transition to Federal inspection
- ▶ . . .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).
- ▶ . . .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
- ▶ FSIS website on CIS:
<https://www.fsis.usda.gov/wps/portal/fsis/topics/inspection/state-inspection-programs/cis>

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??

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