

UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE
WASHINGTON, DC

FSIS NOTICE

44-12

6/26/12

LEVEL OF IN-PLANT TARGETED TESTING FOR CHEMICAL RESIDUES

I. PURPOSE

A. This notice reissues the content of FSIS Notice 21-11 with one change. This notice now instructs inspection program personnel (IPP) to use only the KIS™ test. Instruction on the use of the FAST is not included because the KIS™ test has replaced the FAST in all cull dairy cow and bob veal calf slaughter establishments.

B. Inspection program personnel (IPP) are to perform targeted testing for chemical residues at a rate that is increased above normal at establishments that do not have support in their hazard analysis to demonstrate that they have an effective residue control program in place when slaughtering cull dairy cows or bob veal calves.

II. BACKGROUND

A. On November 28, 2000, the Agency published a Federal Register Notice entitled [Residue Control in a HACCP Environment](#) (70 FR 70809). This Federal Register Notice informed establishments that the Agency will not treat violative residue findings as noncompliances provided an establishment meets the following criteria:

1. The establishment's HACCP plan includes residue controls that constitute the best available preventive practices for slaughter establishments.
2. The establishment implements those controls effectively.
3. The establishment supplies FSIS with information about residue violators.
4. The establishment follows the finding of a violative residue with appropriate corrective actions.

B. FSIS has observed recently that certain establishments have had multiple residue violations because they repeatedly purchase livestock from the same producers and have not effectively used the historical residue violation information associated with these producers to reassess the adequacy of their (the establishments') hazard analysis. To encourage establishments to adopt effective controls and ensure that they have adequate measures in place, FSIS is providing clarity as to the verification procedures IPP are to perform, depending upon the design of an establishment's residue control program. IPP are to increase their residue verification activities if they are assigned to an establishment that does not have a program designed to control

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residue violations; for example, if the establishment repeatedly purchases cull dairy cows and bob veal calves from a producer without taking into account whether that producer has supplied to any establishment more than one animal with a residue violation in the last 12 months.

C. Establishments may present for slaughter animals from producers on the FSIS Repeat Residue Violator List, but they must have effective controls in place to ensure that any carcasses with violative residues are not allowed into commerce.

NOTE: A firm or person that is on the repeat supplier list remains eligible to market its livestock for slaughter, provided that the livestock do not bear or contain violative levels of chemical residues. An official establishment would need to be aware of when it receives livestock from a person or firm on the repeat supplier list in order for it to be able to design and implement its food safety program to address the potential hazard. FSIS would use this information to effectively verify the plant program in accordance with 9 CFR 417.8.

III. IN-PLANT INSPECTION PERSONNEL RESPONSIBILITIES

A. IPP are to perform in-plant screening tests for pathologies and conditions using the instructions in FSIS Directive 10,220.3. IPP are to use the Kidney Inhibition Swab (KIS™) test, and instructions for use are in the series of askFSIS QAs starting with [Instructions for KIS™ Testing](#)

B. IPP are to perform in-plant screening tests at an increased frequency if an establishment is not able to demonstrate (e.g., by pointing to aspects of its food safety system) that it has put in place measures designed to prevent or reduce the possibility that it will receive animals for slaughter with a violative residue. For example, if an establishment does not have controls in place that address the possibility that it may receive animals from producers that are on the FSIS Repeat Residue Violator List (e.g., because it purchases animals at an auction barn that does not provide information on whether the animals are from a producer on the Repeat Residue Violator List), IPP are to perform residue screening tests at an increased rate. FSIS IPP are to use The [FSIS Residue Repeat Violator List](#).

C. An establishment may show that it is informing itself of the source of the animals it slaughters by maintaining information identifying the producer, including but not limited to the producer's name and physical address. However, providing the identification of the producer is not a regulatory requirement. In lieu of producer information, an establishment may obtain a letter or some other type of credible certification from the seller or livestock market or auction that demonstrates that the animals offered for slaughter are not from a producer who is shown as having had more than one residue violation in the last 12 months on the most recently posted FSIS Repeat Residue Violator List. In addition, this documentation may also identify those animals from a producer known to be on the Residue Repeat Violator List. The Residue Repeat Violator List for Use by Livestock Markets and Establishments can be found here:[Residue Repeat Violator List](#).

D. If the increased rate of testing referred to in III.B., above, is warranted, IPP are to:

1. Test a minimum of two animals each time the establishment receives animals, and the establishment does not have a control in place that minimizes the possibility that the animals have an illegal residue,
2. Use professional judgment to determine whether additional sampling is necessary, up to 100% testing of the lot, based on the effectiveness of the establishment's residue control program at reducing or eliminating the occurrence of FSIS violative findings,
3. Continue increased testing rate as determined in III. D.1. and 2. on all dairy cows and bob veal as long as the establishment lacks an effective control program, and
4. Use the increased testing rate for dairy cows and bob veal from any unknown source, even if the animals appear to be normal, as well as on animals with pathologies listed in FSIS Directive 10,220.3. For bob veal, this increased testing rate is in addition to the rate described in 9 CFR 310.21.

E. IPP are to follow [FSIS Directive 10,220.3](#), Section VI regarding the conditions and pathologies that warrant retention and testing of carcasses. At slaughter, the IPP will look for indications of illegal chemical use or exposure and collect tissue samples for residue analysis as part of verification of the food safety system. IPP are expected to follow FSIS Directive 10,220.3 even if establishments provide supporting information on producers.

ASKFSIS QUESTIONS

Submit any questions about these procedures to [askFSIS](#).

Refer questions through askFSIS. When submitting a question via askFSIS, use the Submit a Question tab, and enter the following information in the fields provided:

Subject Field: Enter **Targeted Testing for Residues**.

Question Field: Enter your question with as much detail as possible.

Product Field: Select **General Inspection Policy** from the drop-down menu.

Category Field: Select **Residue** from the drop-down menu.

Policy Arena: Select **Domestic (U.S.) Only** from the drop-down menu.

When all fields are complete, press the **Submit** button.



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