

FSIS Response to Comments submitted by NASFMID  
March 20, 2017

The Federal Meat Inspection Act (FMIA) (21 U.S.C. 661) and the Poultry Products Inspection Act (PPIA) (21 U.S.C. 454) authorize FSIS to cooperate with State agencies in developing and administering State MPI programs. The FMIA and the PPIA provide for FSIS to review, at least annually, each State MPI program and its requirements and enforcement activities in the slaughter, preparation, processing, storage, handling, and distribution of livestock carcasses and parts, meat and meat food products of such animals, and poultry products (21 U.S.C. 661(c)(4) and 454(c)(4)). As long as the State operates and maintains a program that is “at least equal to” the Federal inspection program, FSIS may contribute up to 50 percent of the estimated total cost of the State’s MPI program and provide administrative support (21 U.S.C. 661(a)(3) and 454(a)(3)).

The FSIS review process is transparent. The methodology and criteria are laid out in FSIS Directive 5720.3, Rev. 2, November 10, 2016. Additionally, the November, 2016, Compliance Guideline sets forth the “at least equal to” criteria and provides comprehensive guidance on the process. As part of the recent comprehensive revisions to both these documents, NASMFID participated in the review process and submitted comments for which FSIS responded.

The statutes do not require that the States operate their MPI programs in a manner that is the same as or identical to FSIS’s Federal inspection program, nor do they prohibit the State MPI programs from establishing safeguards that they believe to be more effective than those employed by FSIS. Therefore, State officials are to provide the evidence they deem necessary and sufficient to support their “at least equal to” position. Some states submit more information than others. While it has never been necessary to submit duplicate information, on an annual basis, State officials are expected to submit any changes made to the State MPI program during the previous 12 months.

With regard to the burden hour estimates for the information collection, State officials were polled on the average amount of time they considered necessary to complete documentation from all components of the annual self-assessment. Time for the on-site review process every three years was also considered and included in the total burden estimate.