

**Montana Department of Livestock Meat and Poultry Inspection**  
**Food Recall Information and Procedures**

*Who regulates meat and poultry products in Montana?*

The Food Safety Inspection Service (FSIS) within the United States Department of Agriculture inspects and regulates meat and poultry products in federally inspected plants. The Montana Department of Livestock Meat and Poultry Inspection Bureau regulates small and very small establishments that sell their product only within the state of Montana. This program is allowed under federal and state law through a cooperative agreement between the Montana Department of Livestock and USDA. The state controlled program must be operated in a manner that meets or exceeds all federal regulations for meat and poultry products. The recall process and procedures used by the MDOL meat and Poultry Inspection Bureau must conform to the most recent version of USDA FSIS Directive 8080.1.

*What is a food recall?*

A food recall is a voluntary action by a manufacturer or distributor to protect the public from products that may cause health problems or possible death. A recall is intended to remove food products from commerce when there is reason to believe the products may be adulterated or misbranded. Inspected establishments are required to have a recall plan to implement in these circumstances and should regularly test and update their plan as necessary.

*Who decides when a recall is necessary?*

Recalls are initiated by the manufacturer or distributor of the meat or poultry, sometimes at the recommendation of the MDOL Meat and Poultry Inspection Bureau. All recalls are voluntary. However, if a company refuses to recall its products when recommended, then the MDOL Meat and Poultry Inspection Bureau has the legal authority to detain and seize those products in commerce if necessary.

If an establishment wishes to engage the recall committee in a preliminary investigation to gain a recommendation on if a recall may be necessary they can do so by contacting their In Plant Personnel (IPP) and making a written request. The IPP should immediately send that request to their area supervisor and bureau chief so the process can begin in a timely manner.

*How are unsafe products discovered?*

There are four primary means by which unsafe or improperly labeled meat and poultry products come to the attention of the MDOL Meat and Poultry Inspection Bureau:

- The company that manufactured or distributed the food informs the Bureau of the potential hazard;
- Test results received by the Bureau as part of a sampling program indicate that the products are adulterated, or, in some situations, misbranded;
- MDOL Meat and Poultry Inspection Bureau field inspectors and program investigators, in the

course of their routine duties, discover unsafe or improperly labeled foods; and

- Epidemiological data submitted by State or local public health departments, or other Federal agencies, such as the Food and Drug Administration (FDA) or the Centers for Disease Control and Prevention (CDC) reveal unsafe, unwholesome or inaccurately labeled food.

As soon as the Bureau learns that a potentially unsafe or mislabeled meat or poultry product is in commerce, the Agency conducts a preliminary investigation to determine whether there is a need for a recall.

#### What occurs during a preliminary investigation?

The preliminary investigation may include some or all of the following steps:

- Contacting the manufacturer of the food for more information;
- Interviewing any consumers who allegedly became ill or injured from eating the suspect food;
- Collecting and analyzing food samples;
- Collecting and verifying information about the suspected food;
- Discussions with Bureau field inspection and compliance personnel;
- Contacting State and local health departments; and
- Documenting a chronology of events.

#### How does the MDOL Meat and Poultry Bureau notify the public when a product is recalled?

MDOL Meat and Poultry Inspection notifies the public through a Recall Release for Class I and Class II recalls, and issues a Recall Notification Report (RNR) for Class III recall issues. (The RNR provides substantially the same information as the Recall Release; however, it is not distributed to media wire services or media outlets.) The Recall Release is issued to media outlets in the areas where the product was distributed. When possible, MDOL Meat and Poultry Inspection also includes pictures of the recalled product labels as part of the Recall Release posting.

For every Class I recall, the MDOL Meat and Poultry Bureau develops a list of retail consignees that have, or have had, the recalled products in their possession. The list of retail consignees includes the name, street address, city and state of each retail consignee and is posted within approximately 3 to 10 days of the date of the recall. The retail consignee list is updated periodically as additional retail consignee information becomes available.

#### What is the MDL Meat and Poultry Inspection Bureau's role during a recall?

When there is reason to believe that adulterated or misbranded product has entered commerce, the MDOL Meat and Poultry Inspection Bureau convenes the Recall Committee. The Committee evaluates all available information and then makes recommendations to the company about the need for a recall. The committee should consist of 5-7 members representing the following types of individuals:

- Meat Science Specialist (This may be obtained from an appropriate entity outside of MDOL)
- Microbiologist (This may be obtained from an appropriate entity outside of MDOL)
- Montana Board of Livestock member or MDOL Executive Officer
- MDOL Animal Health and Food Safety Division Administrator or MDOL meat and Poultry
- Inspection Bureau Chief
- MDOL Meat and Poultry Inspection Bureau Enforcement, Investigations and Analysis Officer (EIAO) or equivalent.

If the Recall Committee recommends a recall, the Committee classifies the recall based on the relative health risk, as follows:

- Class I - A Class I recall involves a health hazard situation in which there is a reasonable probability that eating the food will cause health problems or death.
- Class II - A Class II recall involves a potential health hazard situation in which there is a remote probability of adverse health consequences from eating the food.
- Class III - A Class III recall involves a situation in which eating the food will not cause adverse health consequences.

In addition to determining the class of the recall, the Recall Committee verifies that the company has identified production and distribution information to facilitate the recall.

The Recall Committee advises the company of its recommendation. The firm has 48 hours to declare its intent to accept or deny the recommendation in writing to the MDOL Meat and Poultry Inspection Bureau Chief.

*How does the MDOL Meat and Poultry Bureau ensure that a recall is effective?*

Meat and Poultry Bureau field personnel conduct “effectiveness checks” to ensure that the recalling firm makes all reasonable efforts to notify the consignees of the recalled product that there is a need to remove the product from commerce. The Bureau conducts a sufficient number of effectiveness checks throughout the distribution chain to verify that the recalling firm has been diligent in notifying the consignees of the need to retrieve and control recalled product, and that the consignees responded accordingly.

If the Bureau determines that the recalling firm has been successful in contacting its consignees, and has made all reasonable efforts to retrieve and control products, the Agency notifies the firm that the recall is complete and no further action is expected.

*Does the MDOL Meat and Poultry Bureau keep documentation on recalls?*

The Bureau maintains comprehensive case files for all recalls coordinated by the Agency. Information on open and closed cases can be requested in accordance with state law.

*How can consumers identify recalled products?*

All containers of meat, poultry, and egg products must be labeled with a state mark of inspection

and establishment (EST) number, which is assigned to the plant where the product was produced.

The establishment number may appear on the package within the state mark of inspection. It may also appear elsewhere on the exterior of the package container or package labeling (for example, on the lid of a can) if shown in a prominent and legible manner and in a size sufficient to insure easy visibility and recognition.

#### Related Item

FSIS Directive 8080.1, "Recall of Meat and Poultry Products" (PDF Only)

Link: [https://www.fsis.usda.gov/sites/default/files/media\\_file/2020-07/8080.1.pdf](https://www.fsis.usda.gov/sites/default/files/media_file/2020-07/8080.1.pdf)