U.S. DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE

NOTICE OF DETENTION

See preparation instructions on Pages 2-4

DISTRIBUTION:
Original - Program Employee
1 Copy - Product Owner
1 Copy - Product Custodian 1
Copy - Program Supervisor

CASE NUMBER	ENTRY NUMBER	DATE DETAINED

OWNER'S NAME, ADDRESS *(Firm or individual)*	CUSTODIAN'S NAME, ADDRESS
TELEPHONE NUMBER	TELEPHONE NUMBER

The article(s) described below was/were DETAINED by the Food Safety and Inspection Service, U.S. Department of Agriculture, in accordance with the authority and for the reasons shown herein for a period not to exceed twenty (20) days. The article(s) described may not be sold, used, moved or altered in any manner without first being released by an authorized employee of the Food Safety and Inspection Service, U.S. Department of Agriculture, under penalty of fine or imprisonment, or both. Voluntary disposition of the article(s) for human food purposes, or placing the article(s) in compliance will result in termination of the detention. Seizure, condemnation and disposal of such article(s) shall be as directed by any United States District Court or other proper Court as provided in the legislation cited.

1. DESCRIPTION AND NUMBER OF ARTICLE(S) DETAINED

A. PRODUCT NAME	B. CODING *(If any)*	C. NUMBER	D. PRODUCT WEIGHT	E. CONDITION (✓)
				☐ FRESH ☐ OTHER ☐ FROZE

Establishment Number: Enter any establishment number(s)

F. ESTABLISHMENT NUMBER	G. INSPECTION (✓)
	☐ FEDERAL ☐ STATE ☐ NONE

2. LOCATION OF DETAINED ARTICLE(S)
(Complete name, address, etc.)

3. DETENTION

A. CODE

B. REASON (✓)
☐ MISBRANDED ☐ ADULTERATED

C. DESCRIPTION

4. DETAINED TAG(S) ATTACHED

A. NUMBER(S)

B. HOUR

5. LEGAL AUTHORITY FOR DETENTION (✓)
☐ FEDERAL MEAT INSPECTION ACT 21 U.S.C. 601 *et seq.*
☐ POULTRY PRODUCTS INSPECTION ACT 21 U.S.C. 451 *et seq.*
☐ OTHER *(specify act):*

6. NAME AND ADDRESS OF SHIPPER	7. NAME AND ADDRESS OF SELLER
8. POINT OF SHIPMENT *(origin)*	9. TRANSPORTER *(carrier)*

10. PRODUCT SAMPLED
☐ YES ☐

11. FREEZER LOT NUMBER

12. NAME OF OWNER/OWNER'S A

Enter name & address of other Federal, State or local authorities notified, if any

14. NAME(S) AND ADDRESS(ES) OF FEDERAL, STATE OR LOCAL AUTHORITIES NOTIFIED *(if any)*

15A SIGNATURE OF AUTHORIZED REPRESENTATIVE OF USDA	B. BADGE #	C. TELEPHONE NUMBER
ADDRESS		

16A. DATE OWNER NOTIFIED	B. OWNER INFORMED BY (✓)	C. NAME OF OWNER / OWNER'S AGENT NOTIFIED
	☐ TEL ☐ CM ☐ HD ☐ FAX	

PREPARATION OF FSIS 8080-1, NOTICE OF DETENTION

SECTION 1. DESCRIPTION AND NUMBER OF ARTICLE(S) DETAINED

A. Product Name - Enter the product species and name. When multiple products are involved enter "various" (beef, poultry, pork and goat). Each item should be listed separately in blocks A, B, C, D, E, and F. In instances where inventories are not available use "Various."

NOTE: If additional space is needed, place an asterisk in the appropriate section followed by the statement "See attached sheet(s)."

B. Coding - Enter any stamped, stenciled, handwritten or otherwise applied numerical or alphabetical characters which appear to be some type of product/production code.

C. Number - Enter number of units, e.g., 6 boxes.

D. Product Weight - Enter approximate net weight of detention action in pounds.

E. Condition - Check appropriate block.

F. Est. Number - Enter Federal or State Est. number. If the detention involves egg product, prefix the establishment number with "EGG".

G. Inspection Type - Check appropriate block.

Block 2. LOCATION OF DETAINED ARTICLE(S) - Enter the full organizational name and address (including zip code) where product is detained. If same as owner and/or custodian, enter "same as owner and/or custodian."

Block 3. DETENTION

A. Code - The program employee will enter a 4 character code based on the listing shown below:
The specific positions (characters) within the code denote respectively:

- 1st character indicates meat, poultry, both, or egg, (M = Meat, P = Poultry, B = Both, or E = Egg).
- 2nd character indicates the type of product: Domestic or Imported,
  (D = Domestic, I = Illegal entry/imported products includes ineligible countries products).
- 3rd character indicates adulterated or misbranded, (A = Adulterated, M = Misbranded).
- 4th character indicates the specific reason or cause of the adulteration or misbranding.

<u>Adulteration</u>
1) Bears or contains any harmful or unauthorized chemical substance such as sulfites, curing agents, coloring agents, etc.

2) Bears or contains unauthorized ingredients which would increase weight such as water, soy products, etc.

3) Bears or contains any extraneous material such as rodent or insect droppings, glass, bone, metal, hair, etc.

4) Consists of any sour, putrid, or moldy substance.

5) Other (Specify) Illegal entry/imported products, ineligible countries, etc.), if adulterated.
Misbranded

1) Void of any labeling.

2) Contains excessive amounts of authorized ingredients or does not conform to standards of composition.

3) Contains false, misleading, or incomplete labeling such as an incomplete ingredients statement, missing inspection marks, etc., or illegible labels or brands.

4) Un-inspected product represented as inspected.

Block 3. DETENTION *(Continued)*

5) Non-federally inspected (NFI) product transported in commerce.

6) Inedible product improperly labeled or identified such as un-denatured inedible products.

7) Failure to remove official marks of inspection.

8) Entered NFI product into an official Est.

9) Other (specify) Illegal entry/imported products, ineligible countries, etc.), if not-adulterated.

B. Reason - Check appropriate block.

C. Detention Description - Enter appropriate wording which briefly summarizes the description of the noncompliance. (See below)

NOTE: When preparing FSIS Form 8080-1, Notice of Detention, be advised that the use of the term **"non-federally"** is not acceptable in **block 3C** (Detention Description).

The terms **"misbranded"** and/or **"adulterated"** with qualification are acceptable. Some examples of qualification are:

"Misbranded"	-	No marks of Federal inspection
"Misbranded"	-	Bears inaccurate labeling
"Misbranded"	-	Product contains ingredient not shown on label
"Misbranded"	-	Product "represented" to be inspected and passed
"Adulterated"	-	Sour - Putrid
"Adulterated"	-	Rancid
"Adulterated"	-	Hair and dirt
"Adulterated"	-	Gassy, odorous
"Adulterated"	-	Swollen cans, (not overfill)
"Adulterated"	-	Contaminated with foreign material
"Adulterated"	-	Product contains ingredient not permitted

The examples above will cover approximately 95% of the detentions made. Other reasons include:

"Inedible"	-	Not properly labeled; Inedible not slashed and/or denatured
"Imported Product"	-	Refused entry, illegally imported, ineligible country products, etc.

SECTION 4. DETAINED TAG(S) ATTACHED

A. Number(s) - Enter the number of each detained tag used.

B. Hour - Enter the hour detained tags were applied.

Block 5. LEGAL AUTHORITY FOR DETENTION - Check appropriate box. For egg products, check "Other" and specify "EPIA, 21 U. S. C. 1031 et seq."

Block 6. NAME & ADDRESS OF SHIPPER - Enter full organizational name and address of firm or individual responsible for offering the product for transportation in commerce. If same as owner, enter "same as owner." **Block 7.** NAME & ADDRESS OF SELLER - Enter full organizational name and address of firm or individual who offered the product for sale. If same as owner, enter "same as owner."

Block 8. POINT OF SHIPMENT - Enter the location (city/state) where the shipment originated. **Block 9.** TRANSPORTER - Enter the carrier (company name or individual) of product, if applicable

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Block 10. PRODUCT SAMPLED - Check appropriate block. When a sample is obtained from detained product, submit a copy of the laboratory report form with the case. Always pay for samples obtained.

Block 11. FREEZER LOT NUMBER - Enter lot number provided by a responsible individual if applicable or enter "N/A."
Block 12. NAME OF OWNER/OWNER'S AGENT NOTIFIED- Print or type the name of the individual contacted at time of detention.

Block 13. SIGNATURE - Obtain a signature from the responsible individual (same as printed in 12) contacted at time of detention.
Block 14. NAME(S) AND ADDRESS (ES) OF FEDERAL, STATE OR LOCAL AUTHORITIES NOTIFIED - Enter names and addresses of other agencies notified of the detention action, if any (FDA, APHIS, State Health Department, County Health Department).

Block 15. SIGNATURE OF AUTHORIZED REPRESENTATIVE OF USDA

A. Signature of USDA authorized representative (program employee).

B. Badge # - Enter program employee badge number.

C. Telephone Number - Enter program employee office telephone number.

D. Address - Enter complete program employee office address.

Block 16. OWNER NOTIFICATION

A. Date owner notified - Enter the date the program employee notified the owner of the detention action.

B. Owner informed by - Check appropriate block(s). (Telephone, fax, certified mail (TEL/CM), or hand delivered (HD).

C. Name of owner/owner's agent notified - Print or type the name of the individual contacted.

CASE NUMBER and **ENTRY NUMBER:**

After completing the forms for the detention action (detention and/or termination), the program employee will notify the appropriate FSIS Field Supervisory Office of the detention action for data entry. The Field Supervisory Office (FSO) will record pertinent information, assign a case number if appropriate, and provide additional coding to a three letter Entry Code (i.e., CID, OFO, or OIA), which indicates the program area initiating this action. The Entry Number is used by the FSO to track and record the detention action in the program's detention data base. Program employees are to record the information supplied by the FSO into the Entry Number and Case Number blocks of the FSIS Form 8080-1 and 8400-1 when appropriate.

Note: When detention documentation (Notice of Detention and/or Termination, etc.) is sent via Certified Mail to the product owner, include copies of the mailed documents in the case file.

Note: The program employee will initial all strike-outs and changes.