



JOB AID
Regulatory References: ENFORCEMENT ACTIONS

Regulatory Reference	Summary
 <p>Statutes</p> <p>Administrative FMIA 672 PPIA 467</p>	<p>Authority: Provides the statutory basis for FSIS’s authority to conduct administrative enforcement activities.</p> <p>Authorizes:</p> <ul style="list-style-type: none"> • Retaining product • Withholding the marks of inspection • Suspending inspection • Withdrawing inspection
 <p>Statutes</p> <p>Civil FMIA 672, Detention Authority FMIA 673, Seizure/Disposition FMIA 677 PPIA 467(a), Detention Authority PPIA 467 (c), Seizure/Disposition</p>	<p>These authorities pertain to product detention and seizure and grant FSIS the authority to enforce, prevent, and restrain violations of the Acts under the auspices of U.S. District Courts.</p> <p>These sections cover:</p> <ul style="list-style-type: none"> • Detention authorities related to unwholesome, adulterated, or misbranded product that has left an establishment and entered into commerce. • Seizure of product that is no longer in an establishment and has entered commerce.
 <p>Statutes</p> <p>Criminal FMIA 610, Prohibited Acts FMIA 622, Bribery FMIA 675, Assault/Intimidation FMIA 676, Penalties PPIA 458, Prohibited Acts PPIA 461(a), Distribution of Adulterated Product PPIA 461(c), Assault/Intimidation</p>	<p>Criminal authorities cover:</p> <ul style="list-style-type: none"> • Slaughter or preparation except in compliance with the Acts • Inhumane slaughter or handling • Sale, transport, offering, or receipt in commerce of articles capable for use as human food that are adulterated, misbranded, or not inspected • Causing products to become adulterated or misbranded • Misuse or unauthorized use of official marks, certificates, labels, or devices of inspection • Knowing misrepresentation of any article as “Inspected and Passed” or exempt under the Acts • Assaulting, resisting, opposing, impeding, intimidating, or interfering with any USDA employee engaged in or on account of official duties • Failing to destroy condemned product



	<ul style="list-style-type: none"> • Having an owner/operator who has been convicted on a felony • Two or more misdemeanors
 <p>Regulations</p> <p>9 CFR 500 9 CFR 329 9 CFR 335 9CFR 312</p>	<p>Main Requirements:</p> <ul style="list-style-type: none"> • Contains the FSIS Rules of Practice (ROP) • Detention; seizure and condemnation; criminal offenses • Rules of Practice governing proceedings under the FMIA • Official marks, devices, and certificates
 <p>Directives</p> <p>FSIS Directive 8410.1, Revision 5, Detention and Seizures</p> <p>FSIS Directive 9600.1, Illegally Imported or Smuggled Products and Reporting in the Import Alert Tracking System</p>	<p>Purpose:</p> <ul style="list-style-type: none"> • Provides procedures that inspection program personnel are to follow when detaining, or preparing a recommendation to seize, meat, poultry, or egg products found in commerce when there is reason to believe that the products are adulterated, misbranded, or otherwise in violation of the FMIA, PPIA, or EPIA. • Provides methodologies that OPEER employees, the Office of International Affairs, and the Office of Food Defense and Emergency Response are to apply when surveillance or investigations identify meat, poultry, or egg products from a foreign country that have been illegally imported or smuggled, or are intended to be illegally imported or smuggled into the United States (U.S.).
 <p>Notices</p>	<p>There is no active notice pertaining to this topic on the FSIS Web site. Inspection Personnel should check for new policies regularly on the FSIS Web site under Regulations & Policies.</p>