

OKLAHOMA DEPARTMENT OF AGRICULTURE,
FOOD, AND FORESTRY
MEAT AND POULTRY INSPECTION SERVICE
OKLAHOMA CITY, OK

MPI NOTICE	701	7/28/11
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**LABEL APPROVAL PROCEDURE FOR STATE INSPECTED MEAT AND
POULTRY ESTABLISHMENTS**

I. PURPOSE

To provide updated instructions for the label approval procedure for State Inspected establishments. This notice cancels OK MPI Notice 05-07 and has been renumbered to reflect the revised MPI numbering system. It also contains revised instructions for the submission of the Approval of Labels, Marking, or Device Form (FSD-MIS 4).

NOTE: this notice **DOES NOT APPLY** to Talmadge-Aiken establishments.

II. CANCELLATION

OK MPI Notice 05-07

III. REFERENCES

2 O.S. §§ 6-182(k); 6-187(d); 6-258; 6-280.3(11), (12) & (13); and 6-290.3(11), (12) & (13)

Oklahoma Administrative Code (OAC) 35:37-3-16(d); 35:37-5-11(a); 35:37-5-23; 35:37-9-14 through 21; and 35:37-11 Part 33

9 CFR 304.3(c); Part 317; Part 318; Part 319; Part 424; and Part 442

Food Standards and Labeling Policy Book, August 2005

FSIS Directive 7000.1; 7110.1; 7120.1, Revision 5; 7124.1; 7220.1; 7235.1; and 7237.1, Revision 1, Amendment 1.

IV. BACKGROUND

As set out in the Oklahoma Meat Inspection Act, the Oklahoma Poultry Products Inspection Act, the Oklahoma Rabbit and Rabbit Products Inspection Act, the Exotic Livestock and Exotic Livestock Products Inspection Act and in the Oklahoma Administrative Code 35:37-3-16(d); 35:37-5-11(a); 35:37-9-14; and 35:37-11-116 the Director may refuse to grant inspection to any establishment that has not received approval of labeling and containers to be used at the establishment as required by the OAC. No meat or poultry product produced in an Oklahoma Inspected plant may be misbranded as defined in 2 O.S. §§ 6-182(k); 6-258; 6-280.3(13); and 6-290.3(13).

V. PROCEDURE

A. All labels must receive a “Final” approval by the Oklahoma City Office prior to use. Plant management should complete an Approval of Labels, Marking, or Device Form (FSD-MIS 4). It is recommended that all label approval requests be submitted as “Sketch” and “Proof” approvals prior to being submitted as a “Final” approval request. The plant should provide the following information on the approval form:

- Establishment Number
- Name of Product
- Check the appropriate box for the type of approval requested
- Check the appropriate box which denotes whether the label was previously approved as a sketch or proof
- If requesting a temporary approval or an extension, provide
 - Prior approval number
 - Number of labels on hand
 - Number of days requested
- Area of principle display panel
- Complete product formula including the percentage or weight of each ingredient in the product batch. Any multiple ingredient items (including seasonings and spice mixes) that are used in the formulation must have a copy of the label attached to the form.
- The step by step processing procedures must be described, including lethality and/or stabilization steps if required. If additional space is needed to completely describe the processing procedures, they should be attached to the approval request form.
- If the plant is a new plant, the complete name and address of the firm, should be provided in the box at the lower left of the form.
- Plant management must sign and date the form
- The type of label and kind of package or container must be completed
- A copy of the proposed label must be attached to the form

NOTE: “Sketch” and “Proof” approval requests may be submitted electronically to the ODAFF MPI Oklahoma City Office.

B. When plant management has completed and signed the label approval request forms, they are to be presented to the IIC for review. The IIC is to use the Label Checklist Form (FSD-MIS 18) to screen the request for compliance with regulatory requirements. When the IIC determines that the label request meets the regulatory requirements and all required information has been provided, they are to sign and date the copy of the request form and return them to plant management.

NOTE: The IIC is to verify that every establishment that requests a label approval for new product(s) has met the requirements of 9 CFR 304.3(c), has conducted a hazard analysis and has developed a HACCP plan for the product as described in 9 CFR Part 417.

C. Plant management is to mail a completed set including a finished label, any supporting documentation, and Form FSD-MIS 4 to the address indicated on the Form.

D. Upon receipt in the Oklahoma City Office each label approval request form will be evaluated for compliance with the following regulatory requirements:

- 9 CFR Part 317 – labeling
- 9 CFR Part 318 – reinspection and preparation of products
- 9 CFR Part 319 – standards of identity
- 9 CFR Part 424 – preparation and processing operations
- FSIS Labeling Policy Directives
- Food Standards and Labeling Policy Book

Any label request forms that are found to be noncompliant with any of the above requirements will be returned to the IIC with an explanation of the noncompliance, which will be forwarded to establishment management.

E. When it has been determined that a label request form has met all regulatory requirements, it will be assigned an approval number. It will be scanned and the original will be maintained in the Oklahoma City master label file. An electronic copy of the “Final” approval will be sent to the IIC which will be maintained in the inspector’s establishment label file. The IIC is to ensure that plant management receives a copy of all label approvals for their records.

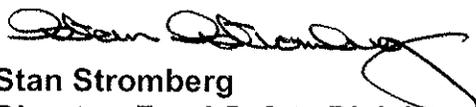
NOTE: An electronic copy can also be provided directly to the establishment by the Oklahoma City ODAFF-MPI Office if an e-mail address has been provided.

F. A current label file must be maintained by the IIC at each inspected establishment, which must include all active labels, inactive labels and any other labels that are in some stage of the approval process, which are intended to be used as active labels.

G. At least annually, when requested by the Oklahoma City Office, each IIC must complete and submit a Label Inventory (Form FSD-MIS 20), for each inspected establishment, which is part of their assignment. Each inventory must include the approval number, the product name and the status of each label in the establishment and should include any labels that have been eliminated, discontinued or replaced since the last inventory was submitted.

H. Each IIC will verify that product produced in inspected establishments is properly formulated and labeled by performing verification activities under the 04A and 04B Procedure Codes when scheduled by PBIS. These verification activities are described in FSIS Directive 7000.1.

Refer all questions about this policy through normal supervisory channels.


Stan Stromberg
Director, Food Safety Division

DISTRIBUTION
All MPI Personnel

SUBJECT CATEGORY
Processing