

§ 149.4

9 CFR Ch. I (1–1–14 Edition)

as to Stage III certified status within 30 days of receipt of the audit form and payment.

(i) A Stage II certified site that is found to meet all good production practices and other program requirements in this part will be awarded Stage III certified status.

(ii) A Stage II certified site that is found, during a site audit, not to be adhering to one or more good production practices, or that fails to follow the prescribed timetable for completing a site audit and submitting the completed audit form and payment, will be subject to a review by APHIS to consider the nature of the infraction(s) and determine whether to decertify the site, as provided in §149.2(e)(1).

(f) *Site audit for renewal of Stage III certified status.* (1) A producer seeking to renew a site's Stage III certified status must arrange for another site audit. The site audit must be performed no sooner than 14 months from the date the site was awarded Stage III certified status or the date that status was last renewed, and must be completed, with the audit form and payment submitted to APHIS, no later than 16 months from either the date the site was awarded Stage III certified status or the date the that status was last renewed.

(2) APHIS will review the completed audit form and make a determination as to renewing the site's Stage III certified status within 30 days of receipt of the audit form and payment.

(i) A Stage III certified site that is found to meet all good production practices and other program requirements in this part will have its status as a Stage III certified site renewed.

(ii) A Stage III certified site that is found, during a site audit, not to be adhering to one or more good production practices, or that fails to follow the prescribed timetable for completing a site audit and submitting the completed audit form and payment, will be subject to a review by APHIS to consider the nature of the infraction(s) and determine whether to decertify the site, as provided in §149.2(e)(1).

(Approved by the Office of Management and Budget under control number 0579-0323)

§ 149.4 Spot audit.

(a) In addition to regularly scheduled site audits, certified production sites will be subject to spot audits.

(1) *Random spot audit.* Certified production sites will be selected by the APHIS Administrator at random for a spot audit in order to:

(i) Ensure the integrity of the audit process;

(ii) Verify that the audit process is performed in a consistent manner across the program; and

(iii) Verify that all required good production practices are being maintained between regularly scheduled site audits.

(2) *Spot audit for cause.* A certified production site may be subject to a spot audit to trace back and investigate any positive test results as a result of testing of certified swine from that site at the slaughter facility.

(b) All spot audits will be performed by a QVMO. The producer of the certified production site subject to spot audit will not be charged for the spot audit. APHIS will provide the producer with written notification of the results of the spot audit, including documentation of any deficiencies noted during the audit. If the site is found not to be adhering to one or more of the required good production practices, then the site will be subject to a review by APHIS to consider the nature of the infraction and to determine whether to decertify the site, as provided in §149.2(e)(1). Unless a spot audit results in decertification, it does not otherwise affect the timetables for the completion of site audits set forth in paragraphs (e) and (f) of §149.3.

§ 149.5 Offsite identification and segregation of certified swine.

Certified swine moved from a certified production site to another location, whether to another certified production site, buying station, collection point, or slaughter facility, must remain segregated from noncertified swine at all times and otherwise maintain their identity as certified swine in such a way that they could be readily traced back to the certified production site from which they came. Information relating to the identification of

the certified swine must be documented in the animal movement record maintained by the producer. Failure to properly segregate or maintain the identity of certified swine from noncertified swine after leaving the certified production site will result in the loss of certified status for that shipment of swine.

§ 149.6 Slaughter facilities.

Only slaughter facilities that are under continuous inspection by the Food Safety and Inspection Service or under State inspection that the Food Safety and Inspection Service has recognized as equivalent to Federal inspection may participate in the program. To participate in the program, slaughter facilities must follow the relevant provisions of this section relating to verification, segregation, testing, and recordkeeping. Participating slaughter facilities that fail to comply with any of the applicable requirements of this section will not be allowed to continue to participate in the Trichinae Certification Program and the pork or pork products prepared by the facility will not be eligible for a certificate of export that identifies the product as meeting the standards of the Trichinae Certification Program.

(a) *Verification of certification.* A slaughter facility receiving certified swine must verify the current certification status of the pork production site from which the animals came. The current certification status may be verified by maintaining dated certification documentation on file or by accessing the Trichinae Certification Program Web site on the Internet at <http://www.aphis.usda.gov/vs/trichinae>. If the slaughter facility is unable to verify a site's certification status through documentation on file or through the program Web site, the slaughter facility then should contact the APHIS area office in the State where the site is located.

(b) *Maintaining identity and segregation of certified swine and pork products.* For certified swine to be identified as certified pork, certified swine and edible pork products derived from certified swine must remain segregated from swine and edible pork products from noncertified sites throughout re-

ceiving, handling, and processing at the slaughter facility, as well as while awaiting shipment from the facility. The slaughter facility must maintain the identity of the certified swine or pork in a manner that allows the certified swine or pork to be traced back to the certified production site from which it came. A slaughter facility's failure to properly segregate or maintain the identity of certified swine and edible pork products derived from the certified swine will result in the loss of certified status for that shipment of swine, as well as the edible pork products derived from those animals.

(c) *Process-verification testing.* A slaughter facility processing certified swine is responsible for performing process-verification testing to determine the *Trichinella* spp. infection status of certified swine under its control as follows:

(1) *Validated tests.* Process-verification testing must be performed by using a validated test. When testing involves meat, the sample used for such testing must be at least 20 grams.⁴

(2) *Laboratory approval.* Process-verification testing must be performed in an approved laboratory that has been approved for trichinae testing by the Agricultural Marketing Service (AMS).⁵ The approved laboratory may be maintained and operated by the slaughter facility or by another business entity either on the premises of the slaughter facility or at another location. Laboratory staff performing process-verification testing must be accredited by AMS to perform this program function. For purposes of quality assurance, all laboratory staff approved to perform process-verification

⁴A copy of the testing methods and checklist for conducting validated tests may be obtained by contacting the AMS Trichinae Analyst and Laboratory Certification Program Manager, USDA, AMS, Science and Technology Programs, Technical Services Branch, 1400 Independence Ave., SW., Mail Stop 0272, Washington, DC 20250-0272. The manager may be contacted by phone at (202) 690-0621.

⁵A copy of the AMS Trichinae Accredited Laboratory Program Requirements may be obtained by contacting the AMS Trichinae Analyst and Laboratory Certification Program Manager (see footnote 4).