

EXHIBIT 38

UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE
WASHINGTON, DC

FSIS NOTICE

14-11

4/4/11

**INSPECTION RESPONSIBILITIES WHEN A CHEMICAL RESIDUE DOES NOT
HAVE AN ESTABLISHED TOLERANCE**

I. PURPOSE

This notice informs inspection program personnel (IPP) that they are to condemn an entire carcass if a sample collected and analyzed under the National Residue Program is positive and there is no FDA or EPA established tolerance for the identified residue in muscle. IPP are to condemn the carcass as well as the parts.

II. RESPONSIBILITIES

A. When IPP access LEARN and see that a residue sample test result is reported as:

1. "Detected but not Quantified, Violation" or
2. Has a quantified violative result for some parts (e.g., organ or fat) without a quantified muscle result ;

the identified compound does not have an established tolerance for muscle.

B. Therefore, IPP are:

1. Not to apply the mark of inspection to that carcass, and
2. To condemn the carcass and all parts.

Submit any questions about these new procedures to askFSIS at
<http://askfsis.custhelp.com/>



Assistant Administrator
Office of Policy and Program Development

DISTRIBUTION: Electronic

NOTICE EXPIRES: 5/1/12

OPI: OPPD

AR0000439