EXHIBIT 45

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

FSIS NOTICE	40-11	8/9/11

NOTE: This notice reissues the content of FSIS Notice 30-10

INSTRUCTIONS FOR CARCASS SELECTION FOR THE NATIONAL RESIDUE PROGRAM SCHEDULED SAMPLES

I. PURPOSE

When IPP are directed to take a scheduled sample for residue surveillance, they are to select from all animals that have passed ante-mortem inspection, without regard to whether the animal may or may not pass post-mortem inspection. Specifically, IPP are to randomly select carcasses at the kill floor stage. This change is necessary to ensure the NRP includes the broadest range of animals. IPP are to continue to follow the procedures for sample collection and testing in FSIS Directive 10,800.1, Chapter 4, "Procedures For Residue Sampling, Testing, And Other Responsibilities For The National Residue Program", http://www.fsis.usda.gov/OPPDE/rdad/FSISDirectives/10800.1.pdf

II. BACKGROUND

The results of NRP scheduled sampling provides FSIS and other agencies with a means to assess what animal drugs are being used in meat and poultry, and a means to determine whether there are uses of illegal animal drugs. At present, FSIS is aware that the majority of the animals selected for NRP sampling are chosen from healthy-appearing animals that will pass post-mortem inspection. This practice has resulted in limiting the range of animals that are included in the testing program. Also, including the broadest range of animals under NRP scheduled sampling will help FSIS determine whether establishments are properly considering residues in their HACCP plans.

III. FSIS PERSONNEL RESPONSIBILITIES

A. IPP are to include all livestock passing ante-mortem inspection when collecting NRP scheduled samples. Specifically, IPP are to randomly select carcasses at the kill floor stage regardless of post-mortem disposition.

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NOTE: IPP are not to select animals condemned on ante-mortem because such animals are not permitted into the slaughter facility.

B. FSIS will take regulatory action on violative results even if the carcass is condemned during post-mortem inspection.

C. To ensure that carcasses are randomly selected, and that IPP are not selecting primarily unhealthy animals, IPP are to check the appropriate box in Block 28 of FSIS Form 10,210-3 to indicate if the carcass is condemned by FSIS, condemned by the establishment or passed inspection.

NOTE: This policy applies only to random selection of carcasses for directed surveillance residue samples. IPP are to continue to perform in-plant residue screening (KIS or FAST) on all carcasses that warrant testing in accordance with existing policies (for certain pathological conditions, injection site lesions, or repetitive violative residues from a supplier). If the same carcass is randomly selected for directed residue testing and also warrants sample submission from positive in-plant screening (KIS or FAST), IPP are to perform both sampling tasks for that carcass and cross reference the form numbers (record FSIS Form 10,000-2 number in block 28 of FSIS Form 10,210-3 and also record FSIS Form 10,210-3 number in block 24 of FSIS Form 10,000-2). Divide available tissue when required to submit with both forms and tissue is limited (e.g. one bob veal kidney or one half bob veal liver with each form).

IV. DATA ANALYSIS

The Chemical Residue Risk Branch (CRRB) within the Office of Public Health Science will monitor data from FSIS Form 10,210-3 Block 28 monthly and report sampling result data to the Office of Field Operations and Office of Policy and Program Development. When the Laboratory Information Management System (LIMS) system is fully operational, CRRB, in conjunction with the Data Analysis and Integration Group (DAIG) within the Office of Data Integration and Food Defense (ODIFP) will analyze Block 28 data on a quarterly basis to determine whether carcasses are randomly selected for scheduled sampling. Data will be reviewed to determine if trends exist by district, establishment, and species.

Refer questions regarding this notice to the Policy Development Division through *askFSIS* at http://askfsis.custhelp.com or by telephone at 1-800-233-3935.

Assistant Administrator
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