MSA DIRECTIVE	8010.2 Revision 5	12/13/17

INVESTIGATIVE METHODOLOGY

CHAPTER I – GENERAL

I. PURPOSE

This directive provides instructions the Texas Department of State Health Services; Policy, Standards, Quality Assurance Meat Group, (PSQA) Compliance Officer (CO) and other authorized Agency personnel on the methods for conducting investigations of apparent violations, food safety incidents, or other allegations under the Texas Meat and Poultry Inspection Act (TMPIA), Texas Administrative Code (TAC), Federal Meat Inspection Act (FMIA), Poultry Products Inspection Act (PPIA) {the ACTS}, and related laws and regulations.

KEY POINTS:

- *States authority for investigative activities, including access to and examination of regulated-products, facilities, records, and to collect photographic evidence*
- *States responsibilities of CID Investigators, Supervisors, and Regional Directors*
- *Describes the investigative methodology procedures, including for initiating investigations, assessing allegations, and preparing an investigative plan*
- *Describes the methodology for investigative notes*
- *Describes the investigative analysis and decisions process*
- *Describes procedures for preparing signed statements, memoranda of interviews, and other forms of interview documentation*

II. CANCELLATION

MSA Directive 8010.2, Revision 4, Investigative Methodology

III. REASON FOR REISSUANCE

PSQA is reissuing this directive in its entirety to incorporate additional instructions related to investigative activities and to provide instructions to personnel that

conduct investigative activities.

IV. REFERENCES

- Texas Meat and Poultry Inspection Act (TMPIA)
- Texas Administrative Code (TAC)
- Federal Meat Inspection Act (FMIA) (21 U.S.C. 601 et seq.)
- Poultry Products Inspection Act (PPIA) (21 U.S.C. 451 et seq.)
- Humane Methods of Slaughter Act (HMSA) (7 U.S.C. 1901-1907)
- Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1621, et seq.)
- 21 U.S.C. 458 (a) (3)
- 9 CFR Sections 320.4, 381.146, 381.178 and 590.200
- MSA 8010.1, Methodology for Conducting In-Commerce Surveillance Activities
- MSA Directive 8010.3, Procedures for Evidence Collection, Safeguarding and Disposal
- MSA Directive 8010.4, Report of Investigation
- MSA Directive 8010.5, Case Referral and Disposition
- MSA Directive 8410.1, Detention and Seizure

V. BACKGROUND

A. Under the TMPIA, TAC, FMIA, PPIA (the Acts) and related laws and regulations, PSQA has the legal authority to regulate meat and poultry products in intrastate commerce. These Acts state that it is essential to the public interest to protect the health and welfare of consumers by ensuring that meat and poultry products are wholesome, not adulterated, properly marked, labeled, and packaged.

B. PSQA conducts surveillance and investigative activities at food warehouses, distribution centers, retail stores, and other in-commerce businesses where meat and poultry products are stored, offered for sale or sold, and distributed. These activities are designed to ensure that meat, poultry, and egg products are safe, secure, wholesome, not adulterated, and properly marked, labeled, and packaged. When violations of the Acts or regulations are alleged or detected, program employees control or detain adulterated, misbranded, or other violative products in commerce; investigate allegations, violations, or food safety incidents; collect, maintain, and secure evidence; and document investigative reports to support Agency decisions, investigative findings, and enforcement or legal actions.

C. Section 202 of the FMIA (21 U.S.C. 642) and Section 11 of the PPIA (21 U.S.C. 460) require persons, firms, and corporations that prepare, package, label, buy, sell, store, transport, or engage in other specified activities, to keep records that fully and correctly disclose all transactions involved in their business. These provisions also provide authorized program employees authority to

access and examine the facilities, inventory, and records of these businesses, to copy records required to be kept under the Acts, and to take reasonable samples of inventory upon payment of the fair market value. The Acts also provide for penalties for failure to comply with these requirements.

VI. INVESTIGATIVE RESPONSIBILITIES

A. COMPLIANCE OFFICER

A Compliance Officer is to:

1. Conduct investigations and related activities in accordance with this directive.

2. Collect, maintain, and secure evidence in accordance with MSA Directive 8010.3, "Procedures for Evidence Collection, Safeguarding and Disposal."

3. Maintain communication with the PSQA Meat Group Manager regarding investigative activities from the initiation of an investigation through the investigative decision.

4. Maintain notes. CO Notes are a contemporaneous record regarding surveillance, investigative, or other activities. These notes are to be accurate, objective, factual, and free of personal feelings or conclusions. Notes are confidential because of the data they may contain (e.g., information pertaining to open investigations, confidential business information, and personal information protected under the Open Records Act or Freedom of Information Act (FOIA) or Privacy Act).

   When CO makes notes, the notes are to:

   - be handwritten or electronic;

     NOTE: Electronic notes are to be stored in a manner that ensures data integrity (e.g., on a CD-R or computer disk).

   - be made in a manner and in a recording medium that will provide continuity and integrity (e.g., bound or loose-leaf notebook or loose paper);

   - be identified with the Investigator's name, title, telephone number, and address;

   - be maintained with the corresponding case investigation or Report of Investigation (ROI); and

- be retained in accordance with the retention schedule in MSA Directive 8010.3, “Procedures for Evidence Collection, Safeguarding and Disposal.”

B. PSQA MEAT GROUP MANAGER

A PSQA MEAT GROUP MANAGER is to:

1. Conduct supervisory activities related to investigations in accordance with this directive.

2. Monitor and coordinate the investigative caseload of CO under his or her supervision.

3. Maintain communication and be available to discuss investigations and related activities with the CO from the initiation of an investigation through the investigative decision.

4. Update the PSQA Unit Manager periodically with the status of the investigative caseload or CO under his or her supervision, particularly complex or unusual investigations.

5. The Meat Group Manager conducts management activities related to investigations in accordance with this directive

6. Monitor the investigative caseload

7. Maintain communication with CO to provide guidance on investigations and related activities from the initiation of an investigation through the investigative decision.

CHAPTER II – INVESTIGATIVE METHODOLOGY

An investigation is a fact-gathering and analytical activity conducted to develop and document facts relevant to apparent violations, food safety incidents, or other allegations to support Agency decisions, investigative findings, and enforcement or legal actions.

This directive provides the steps and methods necessary to conduct the investigative process effectively. Although the directive presents the steps sequentially, some aspects of the investigation may occur simultaneously.

I. INITIATION OF AN INVESTIGATION

A. Investigators may initiate investigations in response to different occurrences of

apparent violations, possible violations, food safety incidents, or other requirements under the meat and poultry products laws and regulations. The occurrences that lead to the initiation of an investigation are:

1. Observation by an CO of an apparent violation while conducting surveillance or other regulatory activities;

2. Referral of an allegation or apparent violation from other internal PSQA program areas (e.g., MSA and PSQA) regarding possible violations;

3. Referral of an allegation or apparent violation from an outside agency (e.g., Federal agency, State or local government agency) regarding possible violations;

4. Referral of an allegation from a private citizen, firm, trade association, business, or other individual, business, association, or entity regarding possible violations; and

5. Other information, observations, or findings that support initiation of an investigation.

B. When COs observe an apparent violation, receive an allegation, or identify other information, observations, or findings regarding food safety incidents, possible violations, or other matters, they are to:

1. Assess the allegation and available facts to determine whether the facts establish an apparent violation of TMPIA, TAC, FSIS statutes or regulations or other allegation or incident that requires investigation;

2. Determine or verify that PSQA has jurisdiction and authority to investigate the alleged violation; and

3. Conduct a preliminary inquiry, when necessary, to assess the validity of the allegation or information, the reliability of the source, or that PSQA has jurisdiction.

III. INVESTIGATIVE PLAN

A. Planning helps to ensure that an investigation is thorough and well-organized and promotes efficient use of resources. Investigators are to prepare a written Investigative Plan for each investigation when warranted and attach the plan into the case file.

NOTE: There may be situations when it is not necessary to prepare an Investigative Plan. For example, an Investigative Plan may not be necessary

when an CO recognizes and identifies an apparent violation of the Acts while conducting surveillance activities and concurrently collects all available evidence relevant to the violation. In this situation, the CO and his or her supervisor may determine that the evidence collected is sufficient to prove the violation without development of an Investigative Plan or further investigation.

B. An Investigative Plan consists of the following elements:

1. Subject of the Investigation - Include the name, title, or business affiliation if relevant to the investigation (case).

2. Allegations/Violations - A brief statement (summary) of the allegations or facts upon which the investigation is based. The violation should cite the relevant statutes and/or regulations, and state or paraphrase the language of the statutes or regulations (e.g., HSC 433.052, 21 U.S.C. 453 (g) (4) and 458 (a) (3), improperly stored poultry products, after transportation in commerce, under insanitary conditions causing the products to become adulterated).

3. Scope of Investigation - The proposed scope of the investigation based on available information. The scope should briefly state the extent or range of the investigation and may address areas such as: subjects or parties of interest, laws or regulations at issue, geographic area, time period, magnitude of the allegation or violation, and any public health issues or concerns. If the initial scope of the investigation cannot be determined with the available information, the plan may indicate that the scope cannot be determined based on the available information and/or indicate that the scope will be determined at a later date as information becomes available.

4. Investigative Steps - Identify and prioritize the steps necessary to develop the information and to collect evidence regarding the apparent violation, food safety incident, or other allegation that is the subject of the investigation. The steps may include one or all of the following:

    i. Investigative Techniques - CO are to use appropriate investigative techniques to ensure that material facts are developed, and that relevant evidence is collected (e.g., interviewing and record/document collection and analysis).

    ii. Resources - Identify the resources necessary to meet investigative needs (e.g., personnel, equipment, and timeframes).

    iii. Safety - Identify resources and tools that are to be used should the investigation involve situations that could become hostile, unsafe, or potentially dangerous.

iv. Investigative Liaison - Coordinate with the appropriate Agency or other Government officials if issues or situations are observed or encountered that involve Investigator safety (e.g., OIG, State or local police), public health concerns or issues (e.g., FSIS' Office of Public Health Science, HHS' Centers for Disease Control and Prevention (CDC), or State or local agencies), or food security issues (e.g., OIG, FSIS' Office of Food Defense and Emergency Response, or the Federal Bureau of Investigation).

C. Investigators need to evaluate the Investigative Plan periodically as the investigation progresses, revise the Plan as findings are developed or evidence is collected that dictate a revision, and attach the revised Plan into case file.

IV. PROCEDURES FOR INVESTIGATIVE ACTIVITIES

A. Investigative activities include, but are not limited to, those activities performed to investigate an allegation or an apparent violation observed during surveillance activities.

B. When conducting an investigation, Investigators are to use appropriate investigative techniques to ensure that material facts are developed, and that relevant evidence is collected and preserved to support alleged or apparent violations. These techniques include:

1. Examining meat and poultry products and the facilities and conditions under which they are held using the methodology as set forth in MSA Directive 8010.1, "Methodology for Conducting In-Commerce Surveillance Activities," to determine whether they are wholesome, not adulterated, and properly marked, labeled, and packaged, or exempt from the requirements of the Acts.

2. Collecting and submitting investigative samples of meat and poultry products alleged to be in violation of the Acts in accordance with MSA Directive 8010.3. Laboratory analysis findings may prove the allegation or violation or be used to focus the investigation.

3. Photographing meat and poultry products alleged to be in violation of the Acts and any conditions that may have contributed to the violation in accordance with MSA 8010.3.

4. Detaining meat and poultry products, in accordance with MSA Directive 8410.1, "Detention and Seizure," that there is reason to believe are adulterated, misbranded, or otherwise in violation of the Acts. Investigators may work jointly with other Federal, State, or local

agencies to use other means to control product.

5. Examining, copying, collecting and/or photographing records (e.g., invoices, contracts, temperature records, HACCP records) relevant to the alleged violation or other allegation. Investigators are to examine and collect records or documents and to analyze these evidentiary documents carefully to assess whether the content will prove the violation or allegation under investigation. Findings may be subject to differing interpretations; therefore, CO are to examine the evidence for inconsistencies and either resolve the issues or be prepared to explain the contradictions (make notes of explanations to refresh memory in case of time lapse). CO are to collect documentary evidence in accordance with MSA Directive 8010.3.

6. Identifying subjects of the investigation (e.g., persons, firms, responsible management officials, product owners, custodians), possible witnesses with information relevant to the investigation (e.g., employees, consignees), or others with background or other information relevant to the investigation (e.g., Agency officials, Federal or State officials with relevant background information).

7. Interviewing subjects, witnesses, or others to obtain information about the allegation or apparent violation under investigation to:

    i. explain, confirm, supplement, and expand upon the facts

    ii. pinpoint what witnesses heard or observed

    iii. help correlate, identify, and explain evidence

    iv. permit persons involved to admit, deny, or explain actions

8. Documenting interviews in a statement, memorandum of interview (MOI), or Shipper's or Receiver's Certification in accordance with Chapter IV of this directive.

NOTE: A well-prepared and properly documented signed statement is the preferred method to document information provided by subjects of an investigation, witnesses to the violation, or others interviewed during an investigation. An MOI may be appropriate in a variety of situations (e.g., witness declines to sign statement, background interview with Federal or state agency official). A Shippers/Receivers Certification should be used with discretion to document information provided during an interview.

9. Determining whether product may have been shipped to other entities ("trace-forward" activities), or whether product came from other

entities, where it still may be present ("trace-back" activities). CO conduct trace-forward and trace-back activities to determine the scope of the incident and to determine the extent of detention actions necessary to control adulterated or misbranded product. These activities may occur simultaneously at multiple locations in multiple areas. CO should coordinate related activities to ensure that they are done in a manner that will preserve the integrity of the investigation. CO are to collect associated records and any other relevant evidence and conduct interviews with employees at multiple levels of the organization (e.g., president, manager, or employee) to determine the following information:

i. Product Identifying Information - Include pertinent information on container type, size, lot codes, production or pull dates (if available), and product origin.

ii. Shipping and Receiving Practices –

a. Determine the receiving dates and times for each shipment of the identified products in the requested time period.

b. Indicate how the dates on the shipping records reflect the receipt date of the product.

c. Determine how the supplier documents or records deliveries.

d. Determine the firm's suppliers or consignees during this time period.

iii. Handling and Storage Practices - Interview employees regarding handling and storage of the implicated product.

iv. Stock Rotation Practices - Review the standard operating procedures or good manufacturing practices at the firm for stock rotation (e.g., first-in-first-out) and determine how closely the firm follows the procedures or practices.

v. Sanitation and Pest Control Records - Determine whether the firm has, or has had, issues or concerns directly related to, or having impact on, the implicated product.

10. Performing searches of relevant public records, including internet searches of public records.

C. CO are to collect and safeguard evidence, in accordance with MSA Directive

8010.3, to ensure positive identification of evidence and that chain of custody is documented, so that the integrity of the evidence is maintained, and the evidence is admissible in any litigation. They also are to evaluate the facts and evidence periodically to determine which investigative findings they support because the scope of the investigation may expand beyond the original apparent violation or allegation to include additional areas of inquiry.

D. CO may conduct covert surveillance of people, places, or things to obtain information. CO may conduct this activity on foot, in vehicles, or from a fixed location and by using photographic equipment to document the subject activity.

E. The Acts give Inspection personnel broad statutory authority to conduct inspections, examine facilities, premises, inventory, equipment, operations, and to copy certain business records. Authorized employees may also use photography, under these authorities, as a technique to examine facilities, inventory, and records, and to copy business records. An Inspection Warrant is used, when necessary, to obtain access to facilities, inventory, and records, to copy or collect copies of records, for lawful purposes. CO are to contact the Meat Group Manager to request a warrant and provide supporting information as necessary to obtain a warrant. CO are to coordinate the delivery of the warrant, with support from Federal, State, or local authorities, as necessary, to ensure Investigators' safety and legal service of the subpoena.

CHAPTER III – INVESTIGATIVE ANALYSIS AND DECISION

I. INVESTIGATIVE ANALYSIS

A. Periodic analysis of an ongoing investigation and of the evidence collected in critical. During the course of an investigation COs are periodically to:

1. Organize and analyze the evidence and facts to make determinations regarding investigative activities and scope;

2. Determine whether the evidence and facts are sufficient to support an Agency decision or referral for enforcement or legal action, or that further investigation is required;

3. Determine whether the evidence and facts require that another CID or IID region, or another FSIS program area, conduct further investigation of the apparent or alleged violation;

4. Determine whether the evidence and facts require investigative resources from other Federal, State, or local agencies;

5. Determine whether the facts and evidence indicate that the case should be referred through the Meat Group Manager to CO in other areas of responsibility or OPEER;

6. Determine whether further investigation is needed that would require the use of special investigative techniques for further joint investigative activities;

7. Determine whether the facts and evidence indicate that the case should be referred through the Meat Group Manager to an appropriate Federal, State, or local agency for investigation and enforcement action;

8. Determine and recommend to Meat Group Manager whether, after using all appropriate investigative techniques, the evidence and facts do not support further enforcement action and the investigation should be closed with no action.

II. INVESTIGATIVE DECISION

A. At the conclusion of an investigation, COs are to:

1. Organize the findings and evidence in a logical and comprehensible fashion;

2. Conduct a thorough and impartial analysis of the evidence to determine if the findings are supported by the evidence;

3. Complete an ROI in accordance with MSA Directive 8010.4;

4. Refer the ROI to the Meat Group Manager for enforcement or other agency action or decision as set out in MSA Directive 8010.5, “Case Referral and Disposition.”

NOTE: There may be situations in which an ROI will be prepared at the conclusion of an investigation, even when the evidence and findings do not support Agency enforcement action under the Acts.

CHAPTER IV – PROCEDURES FOR A STATEMENT, MEMORANDUM OF INTERVIEW, AND SHIPPER'S OR RECEIVER'S CERTIFICATION

I. INTERVIEW DOCUMENTATION

A. COs are to prepare and document signed statements, MOI, or other documentation, as appropriate, for each interview they conduct during investigative activities.

B. A well-prepared and properly documented signed statement is the preferred method to document information provided by subjects of an investigation, witnesses to a violation, or others interviewed during an investigation.

C. An MOI may be appropriate in a variety of situations (e.g., witness declines to sign statement, background interview with Federal or state agency official).

D. A Shippers/Receivers Certification should be used with discretion to document information provided during an interview.

II. STATEMENTS

A. A statement is a written description of the facts, events, or other relevant information provided by an interviewee of his or her knowledge of, or role in, the subject of the investigation or inquiry.

B. COs are to prepare statements in the following format:

1. Show the date and the location of the interview in the upper right-hand corner of the first page.

2. Write the statement in first person, from the interviewee's point of view.

3. In the opening paragraph, include the name of the interviewee and name and title of the program employee conducting the interview, attest that the information is being provided freely and voluntarily, reflect an understanding of what the interview is in regard to, and provide Privacy Act notification.

4. When more than one program employee participates in an interview, include his or her name in the opening paragraph of the statement.

5. In the second paragraph, state the interviewee's date and place of birth, address, official job title, name of employer, and length of service.

6. In the body of the statement, use language that the interviewee used or can understand. The statement should not contain language that does not reflect the interviewee's language or manner of speaking. The statement should describe relevant facts, specific facts of the violation, events leading to the violation, the interviewee's knowledge of the intent and motivation behind the activities of the violation, and the interviewee's involvement, if any, in the violation. When relevant, the statement should include information about the amount of regulated product involved or affected. The statement may summarize some details succinctly as long as the summary does not affect the substance of the statement.

7. In the concluding paragraph, include an attestation that declares: the number of pages in the statement, that the interviewee has read, or has had read to him or her, that he or she initialed each page and each correction in the statement; and that the statement is complete and true to the best of his or her knowledge.

8. When more than one page is necessary for a statement, number each page for order clarification (e.g., Page 1 of 2, Page 2 of 2).

9. Type or print each signatory name and title under the concluding paragraph, leaving enough space for signatures.

C. COs are to execute and sign statements as follows:

1. Allow the interviewee the opportunity to make corrections or additions to the statement.

2. Have the interviewee initial any corrections or additions in the statement, sign or initial each page, and sign the statement above his or her name.

3. Observe the interviewee while he or she makes corrections or additions and signs the statement.

4. COs preparing the statement should sign the last page of the statement above his or her name after the interviewee signs the statement.

5. If requested, COs are to provide the interviewee with a copy of their signed statement.

D. In a situation where the interviewee refuses to sign a statement but admits that the content is true, COs are to add a handwritten paragraph below the signature line of the statement that declares that the statement was read by or to the interviewee, who acknowledged the content to be true, but refused to sign the statement. The CO preparing the statement should

sign below the handwritten paragraph and not sign on the signature line. In addition, the CO will ensure that other Investigators, who heard the acknowledgment, sign below the handwritten paragraph attesting that they witnessed the acknowledgement.

NOTE: COs are not to provide a copy of the statement to an interviewee, when the interviewee has declined to sign the statement.

E. Special Circumstances - When a signed statement is obtained from an individual who cannot read, cannot write, or cannot speak a language understood by the program employee, a third-party witness is required (e.g., relative, friend, neighbor, or employee) who is able to understand the program employee. In these situations, the program employee is to prepare the statement as follows:

1. Interviewee cannot read - allow the witness to read the statement to the individual so the witness can attest that what was written was in fact read. The last paragraph is modified as follows - *"I have had read to me the preceding statement consisting of (number of handwritten/typed) pages and have been given an opportunity to make additions or corrections. It is true and correct to the best of my knowledge."*

2. Interviewee cannot write (sign name) - have the individual make their identifying mark so that the witness can attest that the interviewee signed the statement.

3. Interviewee cannot speak the language - use a third-party witness who can interpret the conversation. Modify the last paragraph as follows: *"(Name of interpreter), acting as my interpreter, has read to me the preceding statement consisting of (number of handwritten/typed) pages. I have been given an opportunity to make additions or corrections, and it is true and correct to the best of my knowledge"* and have the third-party witness sign the statement and include, in the statement, the name, address, and relationship of the witness to the interviewee.

F. When the interviewee's attorney (or another representative) is present, provide the attorney (or representative) the opportunity to sign as a witness and include the name and address of the law firm (or representative) and the capacity in which he or she is serving the interviewee.

III. MEMORANDUM OF INTERVIEW (MOI)

A. An MOI is the written summary of the information obtained from an interviewee to record the specifics of an interview.

NOTE: When an MOI is used to document interviews, COs are to prepare a

separate MOI for each interview they conduct.

B. COs are to prepare an MOI in the following format:

1. Show the date and the location of the interview in the upper right-hand corner of the first page.

2. Enter the title “Memorandum of Interview” on the first page, centered and in bold font.

3. Enter the name and title of CO aligned on the right; name and official job title, business address, employer, and length of service for the interviewee aligned on the left; and names and titles of others present during the interview in a heading format prior to the first paragraph.

4. Write the body of the MOI in the 1st person from the interviewer’s point of view.

5. The first paragraph should indicate how the program employee(s) identified himself or herself to the interviewee. This description of the introduction and identification process should be sufficiently detailed and should include documentation of the interviewee’s acknowledgement of understanding regarding the program employee(s)’s official capacity.

6. Use either the first or the second paragraph to state the purpose of the interview to provide a summary that informs the reader early in the MOI what kind of information this MOI will reveal.

7. The remainder of the MOI should contain the facts elicited from the interviewee presented in a logical and concise manner. Present the facts in a narrative fashion using paragraphs to separate different segments.

8. Include a closing statement to account for the date the interview was conducted and the MOI was prepared and to certify that it contains all the information discussed during the interview.

9. When more than one page is necessary for an MOI, number each page for order clarification (e.g., Page 1 of 2, Page 2 of 2).

C. Upon completion of the MOI, the program employee documenting the MOI is to promptly sign and date the MOI.

D. If additional Investigators participated in the interview, they may, but are not required to, sign the MOI as a witness.

IV. SHIPPER’S OR RECEIVER’S CERTIFICATION

A. The Shipper’s or Receiver’s Certification, FSIS Form 8050-2, is used to document contact with the shipper or receiver of meat, poultry, or egg products that appear to be in violation of the FMIA, PPIA or EPIA. FSIS Form 8050-2 is located on Inside FSIS.

B. When used, Investigators are to complete each block of the Shipper’s or Receiver’s Certification as follows:

1. Description of Product - Mark the appropriate block to identify the statement as that made by the shipper or receiver. Describe the product by its common or usual name. Show approximate weight and number of items or containers shipped or received, not just the product that is observed.

2. Date Product was Shipped or Received - Enter the phrase "shipped" or "received” and “on” or “about” and the date or dates.”

3. Observed By - Enter the names of FSIS personnel involved.

4. Place Where Observed - Enter location where product was observed (i.e., Cooler #2).

5. Date Observed - Enter date product was observed.

6. Name and Address of Shipper - Enter the shipper's organizational name and address as identified by the consignee, invoice, receiving ticket, or other available material.

7. Type of Shipping Records - Enter type of shipping records examined, if any were available.

8. Shipping Record Numbers - Enter the identifying number from the bill of lading or other available shipping record.

9. Date of Shipping Records - Enter date of shipping record, if any.

10. Name of Processor and Address - Enter the processor's organizational name and address. If the shipper and processor are the same, the entry “Same as item 6" will suffice. If the case involves several processors, enter the name and address of the main processor, plus the word “various.”

11. Method of Transportation - Enter the mode of transportation, such as Shipper's truck, Consignee's truck, or Tom Jones Company. Do not use the word “truck” without clarification of its owner or operator.

12. Markings on Containers or Product - Enter identifying marks observed on

containers or product.

13. Invoice Issued By - Enter the name and address of the person or firm that issued the invoice, or if the name is the same as item 6, the entry “Same as item 6.”

14. Invoice Number - Enter the invoice number, or, if the invoice is not numbered, enter other identifying features of the invoice. If multiple invoices, enter the invoice numbers in a Word document and enter “See attached document” in the block.

15. Date of Invoice - Enter the invoice date. If multiple dates, enter the dates associated with the invoice numbers in a Word document and enter “See attached document” in the block.

16. Remarks - Entries in this block are to be brief and clarify the findings.

17. Certification - Enter the organizational name and address of the shipper or receiver, or his or her representative. Enter the date of signature. In the area directly under his or her signature, print or type the true name (not nickname) of the person who signed the statement. Do this in the presence of the signatory.

NOTE: Investigators are to enter NA in the block if a block is not applicable.

V. PRIVACY ACT NOTIFICATION

A. When personal information is obtained from an interviewee, regardless of the documentation of the interview (e.g., statement, MOI), Investigators are to provide a copy of the Privacy Act Notice, FSIS Form 8000-5 to the interviewee, and explain the notice.

NOTE: When the interviewee is an employee of FSIS or MSA, it is not necessary to obtain personal information or to provide a copy of the Privacy Act Notice.

B. Personal information includes, but is not limited to, date of birth, place of birth, home address, or home telephone number.

VI. QUESTIONS

Refer questions through supervisory channels.

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