

**TEXAS DEPARTMENT OF STATE HEALTH SERVICES
MEAT SAFETY ASSURANCE
AUSTIN, TEXAS**

<h1 style="margin:0;">MSA DIRECTIVE</h1>	5220.1 Revision 2	5/24/19
--	----------------------	---------

**GRANTING OR REFUSING INSPECTION; VOLUNTARY SUSPENDING OR
WITHDRAWING INSPECTION**

I. PURPOSE

This directive provides instructions to Circuit Managers (CM) and the Grant, Database & Sampling Coordinator (GDSC) about granting an establishment's request to receive inspection services, to have inspection services voluntarily suspended or withdrawn, and to reinstate inspection after voluntary suspension or voluntary withdrawal.

II. GRANTING INSPECTION AT OFFICIAL MEAT AND POULTRY ESTABLISHMENTS

A. When an applicant requests a grant of inspection, the Central Office (CO) is to provide the following links which contains the necessary instructions and forms to be completed:

<http://www.dshs.state.tx.us/msa/>

<http://www.dshs.state.tx.us/msa/apps.shtm>

B. The CO can also provide copies of the following:

1. The application for inspection,
2. The Consumer Guide;

C. Upon receipt of an application, the (GDSC) will:

1. Review the application for completeness; and
2. Return to the applicant any application that is not complete and specify the areas of the form that need attention.

D. After the GDSC reviews the application and determines that it is complete and finds no basis for not continuing, the GDSC is to:

1. Assign and forward the application to the appropriate CM;
2. The assigned CM or Assistant State Director's approved designee shall visit and review the applicant's facility.

3. The assigned CM or Assistant State Director's approved designee shall visit, review and return the completed MSA 59-i form back to the CO within 30 calendar days of receiving the application from the GDSC.
- E. In processing the application, the CM is to:
1. Visit the prospective establishment;
 2. Determine whether or not the prospective establishment meets the requirements for receiving a Grant of Inspection
 3. Complete MSA Form 59i
 4. Return the completed MSA Form 59-i and all attachments to the CO within 30 calendar days of receipt from the GDSC.
- F. The GDSC is to review the returned MSA Form 59i and other pertinent information provided by the CM to determine whether the establishment should be granted a grant of inspection.
1. If there may be a basis to refuse to provide inspection and not to grant inspection, the GDSC will forward the denial request to the State Director. Once reviewed by the State Director the GDSC is to write to the applicant informing him or her of that.
 2. If inspection service should be provided to the establishment, the GDSC is to forward the approval request to the State Director for final approval. The applicant must meet all 59i requirements before the State Director can consider granting inspection. Once the State Director grants inspection services, the GDSC is to send the Grant of Inspection and application to the following persons:
 - a) Original to the applicant;
 - b) Copy to the official establishment if the establishment and the applicant have different mailing addresses
 - c) The GDSC is to maintain official file copies of the application, recommendation, grant, and related documents. In addition, the GDSC is to ensure that PHIS is updated to accurately reflect the status of the establishment.
- G. When the CM becomes aware of any significant changes in an establishment or its operations (e.g., new ownership, changed corporate structure, new location, type of operation, or change in operating hours), the CM is to request that the establishment submit an updated application, MSA Form 54, and then have GDSC enter the changes into PHIS.
- H. The GDSC is to maintain the updated application on file and verify that the updates are reflected in the PHIS Establishment Profile.

NOTE: An establishment that wishes to alter its approved hours of operation will submit a request to the CM. The CM is to consider the request for change in hours as set out in 9 CFR 307.4 and 381.37.

III. OFFICIAL ESTABLISHMENT VOLUNTARY SUSPENSION OR WITHDRAWAL OF INSPECTION

- A. When the GDSC or CM, receives a written request for a voluntary suspension or voluntary withdrawal of inspection services, he or she is to explain to the establishment the differences between the two.
 - 1. A voluntary withdrawal of inspection is permanent, and establishments wishing to reinstate inspection must reapply for inspection services.
 - 2. A voluntary suspension of inspection services is temporary and normally will not exceed 120 calendar days. An establishment may request such suspensions for purposes of sale, major structural changes, or remodeling. An establishment on voluntary suspension may have a situation arise that is beyond its control (such as inability to obtain equipment on schedule, inability to complete major structural changes because of weather conditions, or other valid reasons). In such a case, the CM, as appropriate to the type of establishment, may extend the 120-day period, if the CO, concurs. The CM or CO may grant establishments that operate on a seasonal basis a suspension of more than 120 days but not for more than a year.
- B. The CM or GDSC is to accept written requests from establishments for a voluntary suspension or voluntary withdrawal of inspection services.
- C. The GDSC is to issue the voluntary suspension or voluntary withdrawal of inspection form and forward the original to establishment management. The GDSC is to maintain a copy of the form and any related documents.
- D. The GDSC is to verify that the suspension or withdrawal is properly recorded and documented in PHIS.
- E. After being contacted by the establishment during the voluntary suspension, the CM or CO is to notify the GDSC that the establishment has requested that inspection be reinstated.
 - 1. Before inspection is reinstated, the CM is to visit the establishment to determine whether its facilities and equipment warrant the reinstatement and document the results on MSA Form 59j “.
 - 2. In cases where the establishment warrants reinstatement of inspection, the CM is to recommend reinstatement of inspection service to the GDSC. In cases in which the establishment does not warrant reinstatement of inspection, the CM is to not recommend reinstatement of inspection services to the GDSC.
- F. The GDSC is to ensure that the data in PHIS is updated to reflect the establishment's status.

IV. REFUSAL OR WITHDRAWAL OF INSPECTION SERVICE

The CM is to notify the CO or GDSC when there is reason to believe inspection services should be refused or withdrawn (other than voluntary withdrawal) from an applicant or recipient of inspection service.

V. QUESTIONS

Refer questions through supervisory channels.



James R. Dillon, DVM, MPH
Director, Texas State Meat and Poultry Inspection Program
Department of State Health Services