Steve Troxler
Commissioner

North Carolina Department of Agriculture
and Consumer Services
Meat and Poultry Inspection Division

W. Alan Wade
State Director

MPID Notice 2-16 **9-30-16**

ETHICAL RESPONSIBILITIES OF MPID PERSONNEL

I. PURPOSE

The purpose of this document is to protect Meat and Poultry Inspection Personnel from compromising their impartiality in the conduct of their official duties. In addition, this notice aims to ensure that conflicts of interest and the appearances of conflicts of interest are not created.

II. CANCELLATION: MPIS Notice 6-12, dated 5-1-12

III. REFERENCES

NC Compulsory Meat Inspection Law, Section 106-549.26, Inspection of establishment; bribery of or malfeasance of inspector, dated 1969 and amended in 1991, FSIS Directive 4735.3 Rev. 1 "Employee Responsibilities and Conduct" and FSIS Directive 4735.9 Rev 2 "Office of Field Operations Assignment Restrictions and Rules on Gifts from Regulated Industry – Revision 2".

IV. POLICY

NC Compulsory Meat Inspection Law Section 106-549.26 deems inspection personnel who accept money, gifts or other things of value from persons or firms attempting to influence his/her official action guilty of a Class I felony. In order to avoid this situation, inspection personnel should not accept anything of value from establishment personnel, nor place oneself in any position that could compromise one's integrity as an inspection employee.

Circumstances to avoid include but are not limited to:

- borrowing or accepting money
- accepting gifts, food, or favors of any kind
- participating in benefits/rewards designed for plant employees only
- using plant equipment such as computers, telephones, or faxes for personal use
- allowing plant officials to conceal one's actions or whereabouts from MPID supervisors or coworkers
- using one's inspection authority to retaliate against or to intimidate plant officials
- establishing relationships beyond a professional level with plant employees
- disclosing an establishment's proprietary information such as formulations or prices
- failing to apply state and federal regulations in an honest and impartial manner
- seeking or negotiating employment with an inspected establishment over which one has regulatory authority

In addition, FSIS Directive 4735.9, Revision 2 Part VII, has specific instructions prohibiting accepting gifts from or engaging in business with official establishments:

"Specifically, employees may not accept gifts or engage in business or financial dealings (e.g., buying, selling or trading) with regulated establishments or their employees".

The NCDA & CS Meat and Poultry Inspection Division is mandated to operate in at least an "equal to" status with USDA, FSIS. This means that no MPID employee may purchase product from an establishment under NCDA & CS Inspection if the employee is subject to perform any type of inspection duties at the establishment, unless the MPID State Director has given prior consent. Additionally, agency employees may not instruct another individual to purchase product on their behalf without the State Director's permission.

Additionally, the NCDA&CS Meat and Poultry Inspection Division has implemented the same assignment restrictions as outlined in section IV of FSIS Directive 4735.9 Revision 2.

The Office of the MPID State Director is committed to providing services in a fair and unbiased manner to establishments under its inspection. Therefore, employees found to have behaved in an unethical manner or to have created a conflict of interest may be deemed unfit to continue to represent the Meat and Poultry Inspection Division. Such employees will be subject to official disciplinary action that may include letters of warning, leave without pay, demotion or dismissal.

As part of new employee orientation, all MPID employees will receive training in ethics and conduct. During this training, and at least once annually including during the employee's interim review, all MPID Inspection Employees shall be reminded of this policy by their supervisors and be required to sign the document, "Ethical Responsibilities of MPID Employees."

Attachment: Ethical Responsibilities of MPID Employees

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DISTRIBUTION:	**SUBJECT CATEGORY:**
All MPID Personnel	Administrative

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September 30, 2016

M E M O R A N D U M

To: _____

From: W. Alan Wade
State Director

Subject: Ethical Responsibilities of MPID Employees – Annual Renewal

I _____ have read, understand, and received copies of the referenced Directive and Meat Inspection Law. I have also been counseled by a representative of the NCDA&CS, MPID regarding all attachments.

I further acknowledge my awareness that failure to abide by these Documents in the conduct of my daily duties could result in disciplinary action being taken and/or result in my subsequent dismissal.

I am aware that the maintenance of unusually high standards of honesty, integrity, impartiality, and conduct by myself as a Government (State/Federal) employee is essential to assure the proper performance of the Government's business and the maintenance of confidence by citizens in their Government. I also understand that the confidence of the citizens in their Government is influenced not only by the manner in which I as an employee serve the public, but in the way I conduct myself in the eyes of the public.

I fully agree that the avoidance of misconduct and conflicts-of-interest on the part of myself as a Government employee through informed judgment is indispensable to the maintenance of these standards.

_____ _____
Employee Signature Date

_____ _____
MPID Representative/Title Date

WAW/by

cc: Ethics Renewal File

Encl. 1 - FSIS Directive 4735.3, Rev. 1, Employee Responsibilities and Conduct, dated 6/7/07
Encl. 2 - North Carolina Compulsory Meat Inspection Law, Section 106-549.26, Inspection of establishment: bribery of or malfeasance of inspector, dated 1969 and amended in 1991.
Encl. 3 - FSIS Directive 4735.9, Rev. 2, "Office of Field Operations Assignment Restrictions and Rules on Gifts from Regulated Industry"
Encl. 4 - MPID Notice 6-12

Revised – 9-30-16