NORTH CAROLINA DEPARTMENT OF AGRICULTURE
AND CONSUMER SERVICES
MEAT AND POULTRY INSPECTION DIVISION
Raleigh, North Carolina

Steve Troxler, Commissioner

MPID NOTICE	**8-25**	**5-22-2025**

INSPECTION OF RETAIL ACTIVITIES IN NCDA MPID INSPECTED ESTABLISHMENTS

I. PURPOSE

The purpose of this notice is to describe the protocol for the inspection of retail exempt activities conducted in official establishments. The notice has been updated to include establishment requirements for written procedures when cooking and cooling meat and/or poultry products.

II. CANCELLATION

MPID Notice 4-18 dated 11-28-18

III. REFERENCES

9 CFR part 303.1 (f); 9 CFR 317.2; NC General Statute 130A-250 (9)

IV. DEFINITION

Retail exempt product: meat/poultry product prepared for and offered for sale on site, to the end consumer. Such product does not bear a state or federal mark of inspection but must bear all other required labeling in 9 CFR 317.2 at the time it is packaged.

V. PROCEDURES

A. At the next weekly meeting after receipt of this notice, MPID Inspectors assigned to establishments that produce retail exempt meat/poultry products shall print a copy of this notice and give it to establishment management. This shall be documented in the Weekly Meeting Minutes.

B. Since federal regulations regarding misbranded and adulterated product apply to retail exempt products, inspection personnel shall take regulatory control action (RCA) by retaining any retail exempt product found to be misbranded or adulterated. Such product will remain under retention until the misbranded or adulterated product is made acceptable or the establishment elects to denature and dispose of the product.

C. Retail exempt products must be prepared under sanitary conditions. If conditions in a retail exempt area of an establishment are likely to lead to product adulteration, inspection personnel shall take RCA by rejecting the affected areas. These areas shall remain under RCA until the establishment restores sanitary conditions.

D. Should evidence of insect or rodent activity be found in retail exempt areas, inspection personnel shall take RCA of such areas until sanitary conditions are restored.

E. If any equipment or utensils used to prepare exclusively retail exempt product are found to be insanitary during operational or preoperational inspection, inspection personnel shall take RCA of the equipment and utensils until sanitary conditions are restored.

F. Establishments that cook retail exempt product are to heat the product at a sufficient temperature and for a sufficient time to kill pathogens to prevent adulteration of products. Such product must be properly cooled to prevent the growth of pathogens.

1. Establishments shall develop written procedures outlining how they intend to produce a safe product. The procedures must identify critical limits to achieve during cooking and cooling.

2. Establishments shall maintain copies of scientific support used to develop written procedures.

3. Establishments should maintain sufficient records documenting the performance of processing procedures and the meeting of critical limits.

G. Inspection personnel, while conducting routine PHIS procedures, shall occasionally verify that retail exempt products are properly labeled and not adulterated or produced under insanitary conditions. Inspection frequency is determined by the Inspector based on an establishment's history, production volume, and complexity of retail exempt operations.

H. Instances of misbranding, adulteration, or insanitary conditions exclusively involving or affecting retail exempt products shall be documented on MPID Form 3R, "Retail Review Report" and not on a Noncompliance Record. Copies of the Retail Review Report shall be given to the Establishment Management, Area Supervisor and TA Coordinator. The Retail Review Report should not be documented in PHIS.

I. Should an establishment have repetitive instances of misbranded or adulterated retail exempt product, or repetitive instances of insanitary conditions in areas where retail exempt products are processed or offered for sale, the TA Coordinator will notify the State Director to determine further actions. Cases of repetitive failure to meet the requirements of 9 CFR 303.1(f) may be referred to MPID Compliance, and the issuance of Notices of Warning, Civil Penalties, or revocation of retail exempt privileges could follow.

VI. ADDITIONAL INFORMATION

If you have any questions or need additional information, contact your Supervisor.

Dr. Karen Beck
State Director

DISTRIBUTION:	**SUBJECT CATEGORY:**
MPID Personnel	Administration