

## **BSE Reference for Custom Exempt Plants** Regulatory Reference: 9 CFR 310.22(a) & (e), 303.1(b)(1)

### **Which materials are considered “Specified Risk Materials”?**

*For cattle 30 months or older:* brain, skull, eyes, trigeminal ganglia, spinal cord, vertebral column (excluding the vertebrae of the tail, transverse processes of the thoracic and lumbar vertebrae and wings of the sacrum), and dorsal root ganglia

*For all cattle:* tonsils, distal ileum

### **Can the any part of the small intestine be used for human food?**

Yes. The establishment be able to demonstrate their procedures for removing the ileum from the rest of the small intestine. Written procedures are not required in custom exempt plants; however, the plant must have a verifiable system for demonstrating that the ileum is removed if the remainder of the small intestine is to be used for human food. The specific requirements for determining which portion of the small intestine is the ileum are clearly outlined in FSIS Notice 58-05.

### **Are custom exempt plants required to have written BSE control procedures?**

No - custom exempt plants are not required to have written BSE control procedures. However, simply because they are not required to have written procedures does not mean that they have more latitude in their handling of SRM's. Custom exempt plants must be able to demonstrate that they are removing, segregating and properly disposing of SRM's. SRM's are considered to be adulterants in custom exempt products just as they are in products labeled for sale.

### **Are written records regarding SRM removal required for custom exempt operations?**

While having a specific written record to address SRM removal is not required per se, a custom exempt operation

must have a verifiable system in place to insure that SRM's are properly removed. In order to have a system that is verifiable, the operation will most likely need to document some details about the age of older animals in some form. This documentation can come in many forms. Making written documentation on existing records, cutting instructions, carcass tags or other means can be an acceptable method for demonstrating that an older animal is processed properly.

### **Must a custom exempt operation segregate animals that are 30 months of age or older during slaughter?**

While segregation of the animals known to be 30 months of age or older is optimal, it is not required, nor always possible or practical. If a 30 month and older animal is slaughtered and the plant wishes to slaughter animals determined to be less than 30 months of age after it, they must clean and sanitize their splitting saw between slaughter of the older and the younger animals.

### **Are “downers” or nonambulatory cattle allowed to be slaughtered in custom exempt operations?**

NO! The ban on the slaughter of nonambulatory cattle still applies to custom exempt facilities. If a custom exempt facility accepts farm slaughtered beef, they need to obtain verification from the owner of the animal that the animal was not a downer. The form of verification accepted can be determined by the custom exempt operation, however, without accurate and reliable documentation, the custom exempt operation can still be held responsible for the processing of a down animal if the animal was later deemed to be nonambulatory.