**Approval and Use of Automatic Sampling Devices**

The sampling process is an essential and critical component in the grade analysis process. Automatic devices are used to collect samples for evaluation or grade determination throughout the fruit, vegetable and nut industries. Samples collected by these devices may be considered "official" when certain precautions and security measures are taken. The Specialty Crops Inspection (SCI) Division will consider an automatic sampling device as approved to collect official samples when control and security of the product is equal to sampling performed manually (or by another approved method) by an SCI employee or under the direct supervision of an SCI Division or Federal-State Inspection Service (FSIS) inspector, or as approved under an alternative USDA-recognized inspection program.

Under non-mandatory inspection, if samples are drawn using non-approved automatic sampling devices without supervision, they will be considered submitted samples.

Under Marketing Orders, official or supervised samples are required. An agreement may be signed by the handler whereby they agree to conditions outlined below for the privilege of using an automatic sampling device.

**Approval of Automatic Sampling Devices**

Automatic sampling devices must be officially approved by USDA/FSIS prior to being used to draw official samples. Sampling devices will be subject to annual review for compliance prior to the start of the season. After construction and installation of an automatic sampling device the mechanism requires an initial approval to verify that samples collected by the device are equivalent to samples collected in the approved manual method. An SCI Division or FSIS inspector should do the following:

1. From ten lots, collect a sample in the normal manual method and a sample from the automatic sampling device.

2. Weigh and record the weights (or count, if the unit of analysis is by count) of the two samples from the ten lots. They should be comparable and sufficient to perform a determination of the required quality or condition factor.

3. Grade or evaluate each of the two samples from each lot and prepare a report for comparison.

4. Submit the report to the SCI Division Headquarters through the Federal Program Manager.

5. The report will be analyzed by the Agricultural Analytics Division of the Livestock, Poultry and Seed Program Science and Technology Division (or other SCI Division approved agency) to determine if the samples drawn by each method are comparable.

6. SCI Division will approve or deny approval of the device.

If a sampling device is compromised due to damage or malfunction, SCI Division or FSIS must be notified immediately. The samples will be considered as "submitted" until the repairs are approved by an SCI Division or FSIS supervisor.

**Requirements for Approved Automatic Sampling Devices**

**For processed products**, requirements and guidelines for use of automatic samplers can be found on page 80 of the "General Procedures Manual" and on the page 41 of the "Sampling Manual." These are found on the following AIM intranet site addresses:

http://agnis/sites/FV/PPB/AIM/Inspect/Lists/InspectionProcedures/DispForm.aspx?ID=148
http://agnis/sites/FV/PPB/AIM/Inspect/Lists/InspectionProcedures/DispForm.aspx?ID=155

**For fresh products and nuts**, the automatic sampler must have the following in place before it can be considered for use as an official sampler.

1. The automatic sampling device must be properly maintained in a reasonably clean condition

2. Automatic sampling devices must bear the USDA sticker (form FV-648-1) or appropriate FSIS issued seal or sticker. The sticker or seal will be applied annually after being inspected for suitability before the beginning of the season by an SCI Division or FSIS supervisor. The sticker/seal is usually affixed to or in close proximity to the sampling device. If for any reason the sampling device does not bear the sticker/seal or is not marked to indicate official approval, promptly notify the immediate supervisor. Lack of a sticker or seal may result in samples not being considered as official.

3. It must be constructed so that no product or contaminants may be added to or removed from the sample either accidentally or deliberately. Protective barriers, covers, or cages must be in place to protect the sample flow zone.

4. Prior to accumulating a sample, the handler shall have the lot uniquely identified. This unique identification shall include or be coded with the handlers name, growers name or ID number, variety, county of origin and weight. The identification or code shall be affixed to the container, hopper, or sampling device in a manner to ensure that it cannot be tampered with.

5. During sampling by the device, the sample must be deposited in a container and held in an area where it cannot be tampered with until it is collected by a Federal or Federal-State inspector or a person under their supervision. Upon collection or prior to sampling the lot, samples containers shall be identified with the appropriate unique identification matching the identification of the lot. Samples that are not continuously under the control of the inspection service shall be sealed or kept in a locked and secure storage area. If sealed, the seal shall have a control number and that number shall be recorded on a register or written on the container when the seal is attached.

6. Partial lot samples that are held until operations resume must be kept in a manner in which they cannot be tampered with.

7. Sample collection devices may be automated to rotate or place empty sample containers when an authorized person is not present to collect the sample. In this case, the sampling area must be secure and there must be a SCI Division approved method of identifying the sample with the lot.

A log or register appropriate for the operation shall be available for those persons collecting samples. See attached example. The log should include the time of collection, the lot number, the seal number, the collector, and a record of periodic checks of the mechanical sampling device. Observations, findings and corrective actions regarding the condition or procedures of sampling should be reported.

**Compliance and Criteria for Revocation of Permission to use Automatic sampler**

Compliance with the requirements of the automatic sampler is essential for its continued use. Compliance will be verified by an inspector or any other party authorized by the inspection service during periodic checks. Non-compliance will be documented and may result in a sample being considered "submitted" and require the Handler requesting the inspection service to sample the product.

All observations and non-compliances will be documented by FSIS, including corrective actions taken. A standard non-compliance report (attached) may be used for documentation. Non-compliances must be corrected in a timely manner under SCI or FSIS supervision. Some critical non-compliances may result in the loss of permission to use the automatic sampler for official samples.

Minor deviations from program requirements observed by FSIS (observations) will be brought to the attention of participant's staff. Corrective actions may be necessary (by participant). Observations are not "non-compliances;" they are potentially hazardous occurrences that may become non-compliances if not corrected.

**Levels of Non-compliance**

**Major Non-compliance**

A major non-compliance is a major deviation from program requirements, which if allowed to continue, may result in sampling not meeting automatic sampling requirements.

**Critical Non-compliance**

A critical non-compliance is a critical deviation from automatic sampling requirements, which has resulted in sampling not meeting automatic sampling requirements.

**Examples of Non-compliances**

The following provides examples for major and critical non-compliance:

**Major Non-compliance**

*Markings on sample are not legible, but may be verified in another manner*.

**Critical Non-compliance**

*Markings on sample are not legible and cannot be verified in another manner.*

*Sample has been removed from the area while not under supervision of the USDA or FSIS.*

This would result in sample being "submitted". Re-sampling would be required to obtain an official sample.

| AUTOMATIC SAMPLE CHECK FORM | | |
|---|---|---|
| Name of Handler Facility: | | |
| Sampler Identification Number or location; | | |
| | | |
| Crop Year: | | Page: |
| Date/time | Inspector Name | Sample ID / Comment |
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| **Automatic Sampler NON-COMPLIANCE REPORT** | Date:<br>Time: |
|---|---|
| Inspector Name: | |
| Handler Name: | |
| Handler Address: | |
| **Description of Non-Compliance: (including location of sampler)** | |
| **Company Representative Signature:**<br>SIGNATURE AFFIRMS FACTS CONCERNING NON-COMPLIANCE ARE CORRECT | |
| **Corrective Action: (if applicable)** | |