

NEW MEXICO

Food Safety Jurisdictions and Enforcement Authorities



Agency jurisdiction and responsibility for regulating food safety varies from state to state. While an agency may have jurisdiction over a facility or commodity, not all agencies issue licenses or routinely inspect every facility or commodity type. All of the State agencies which have jurisdiction to regulate food safety within the state are listed in the tables below, with their jurisdiction over a particular facility type or commodity denoted by the word “Authority” or “Split Authority” in the row of the facility or commodity type within their column.





MANUFACTURER/PROCESSOR

FACILITY TYPE	NEW MEXICO DEPARTMENT OF AGRICULTURE	NEW MEXICO DEPARTMENT OF HEALTH	NEW MEXICO ENVIRONMENT DEPARTMENT	NEW MEXICO LIVESTOCK BOARD	LOCAL AGENCIES
Food Processor			Split Authority		Split Authority*
Food Repacked			Split Authority		Split Authority*
Food Salvager			Split Authority		Split Authority*
Bottled Water			Split Authority		Split Authority*
Ice			Split Authority		Split Authority*
Dietary Supplements					
Warehouse			Split Authority		Split Authority*
Food Banks			Split Authority		Split Authority*
Seafood			Split Authority		Split Authority*
Food Transport			Split Authority		Split Authority*
Beer/Wine					
Distilled Spirits					

COMMENTS:
* Two jurisdictions only (Albuquerque and Bernalillo counties). State regulates facilities in all other areas.





DAIRY

FACILITY TYPE	NEW MEXICO DEPARTMENT OF AGRICULTURE	NEW MEXICO DEPARTMENT OF HEALTH	NEW MEXICO ENVIRONMENT DEPARTMENT	NEW MEXICO LIVESTOCK BOARD	LOCAL AGENCIES
Grade-A Plant	Authority				
Raw Milk	Authority				
Cheese	Authority				
Yogurt	Authority				
Cream/Sour Cream	Authority				
Butter	Authority				
Ice Cream	Authority				
Milk Pooling	Authority				
COMMENTS:					





MEAT/POULTRY

FACILITY TYPE	NEW MEXICO DEPARTMENT OF AGRICULTURE	NEW MEXICO DEPARTMENT OF HEALTH	NEW MEXICO ENVIRONMENT DEPARTMENT	NEW MEXICO LIVESTOCK BOARD	LOCAL AGENCIES
Meat			Split Authority		Split Authority*
Poultry			Split Authority		Split Authority*
Rabbit			Split Authority		Split Authority*
Other Non-Amenable Species			Split Authority		Split Authority*
Custom Slaughter			Split Authority		Split Authority*
Livestock Inspection				Authority	
Pet Food – Raw	Authority				
Pet Food – Processed	Authority				
Egg Inspection/Grading	Authority				

COMMENTS:
* Two jurisdictions only (Albuquerque and Bernalillo counties). State regulates facilities in all other areas.





ANIMAL FEED

FACILITY TYPE	NEW MEXICO DEPARTMENT OF AGRICULTURE	NEW MEXICO DEPARTMENT OF HEALTH	NEW MEXICO ENVIRONMENT DEPARTMENT	NEW MEXICO LIVESTOCK BOARD	LOCAL AGENCIES
Feed	Authority				
Medicated Feed	Authority				
BSE Inspections	Authority				
Rendering Plant	Authority				
Grain	Authority				
COMMENTS:					





RETAIL FOOD

FACILITY TYPE	NEW MEXICO DEPARTMENT OF AGRICULTURE	NEW MEXICO DEPARTMENT OF HEALTH	NEW MEXICO ENVIRONMENT DEPARTMENT	NEW MEXICO LIVESTOCK BOARD	LOCAL AGENCIES
Restaurant			Authority		Split Authority*
Food Service			Authority		Split Authority*
Grocery Store			Authority		Split Authority*
Market			Authority		Split Authority*
Convenience Stores			Authority		Split Authority*
Public/Private Schools			Authority		Split Authority*
Correctional Facilities			Authority		Split Authority*
Hospitals			Authority		Split Authority*
Long-Term Care			Authority		Split Authority*
Nursing Homes			Authority		Split Authority*
Other Institutions			Authority		Split Authority*
Vending Machines			Authority		Split Authority*
Mobile Food Facilities			Authority		Split Authority*
Caterers			Authority		Split Authority*
Home Based Processors			Authority		Split Authority*

Retail Food list continued on next page.

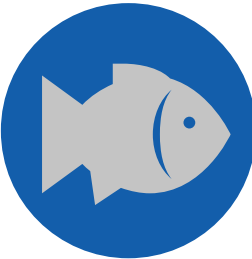


RETAIL FOOD (continued)

FACILITY TYPE	NEW MEXICO DEPARTMENT OF AGRICULTURE	NEW MEXICO DEPARTMENT OF HEALTH	NEW MEXICO ENVIRONMENT DEPARTMENT	NEW MEXICO LIVESTOCK BOARD	LOCAL AGENCIES
Temporary Food Facilities			Authority		Split Authority*
Water Vending Machines			Authority		Split Authority*
Ice Vending Machines			Authority		Split Authority*
Farm Stands			Authority		Split Authority*
Farmers Markets			Authority		Split Authority*
Live Poultry Markets			Authority		Split Authority*
Food Pantry			Authority		Split Authority*

COMMENTS:
* Two jurisdictions only (Albuquerque and Bernalillo counties). State regulates facilities in all other areas.

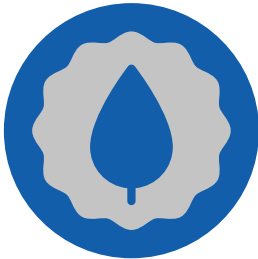




SHELLFISH/AQUACULTURE

FACILITY TYPE	NEW MEXICO DEPARTMENT OF AGRICULTURE	NEW MEXICO DEPARTMENT OF HEALTH	NEW MEXICO ENVIRONMENT DEPARTMENT	NEW MEXICO LIVESTOCK BOARD	LOCAL AGENCIES
Shellfish Growing Areas			Authority		
Shellfish Post Harvest Handling			Authority		
Shellfish Depuration			Authority		
Shellfish Patrol			Authority		
Biotoxin Monitoring					
Aquaculture	Authority				
COMMENTS:					





ORGANIC FOODS

FACILITY TYPE	NEW MEXICO DEPARTMENT OF AGRICULTURE	NEW MEXICO DEPARTMENT OF HEALTH	NEW MEXICO ENVIRONMENT DEPARTMENT	NEW MEXICO LIVESTOCK BOARD	LOCAL AGENCIES
Organic Production	*				
Organic Food Handling	*				
Organic Food Processing	*				
COMMENTS: * No state authority.					





PRODUCE

FACILITY TYPE	NEW MEXICO DEPARTMENT OF AGRICULTURE	NEW MEXICO DEPARTMENT OF HEALTH	NEW MEXICO ENVIRONMENT DEPARTMENT	NEW MEXICO LIVESTOCK BOARD	LOCAL AGENCIES
Farms	Authority				
Packing Sheds	Authority				
Repackers	Authority				
Terminal Markets	Authority				
COMMENTS:					





ENFORCEMENT AUTHORITY

Each state regulatory agency has enforcement authorities that are established through state laws, regulations, or administrative rules. These enforcement authorities enable the agency to perform their regulatory functions and ensure the safety of the food supply. Below are the authorities of each agency.

FACILITY TYPE	NEW MEXICO DEPARTMENT OF AGRICULTURE	NEW MEXICO DEPARTMENT OF HEALTH	NEW MEXICO ENVIRONMENT DEPARTMENT	NEW MEXICO LIVESTOCK BOARD	LOCAL AGENCIES
Embargo/Quarantine	Authority		Authority		Authority
Seizure	Authority		Authority		Authority
Condemnation & Destruction	Authority		Authority		Authority
Voluntary Condemnation & Destruction	Authority		Authority		Authority
Stop Sale Orders	Authority				Authority
Health Advisories			Authority		Authority
Administrative Penalties			Authority		
Criminal Penalties	Authority		Authority		Authority
Civil Penalties	Authority		Authority		Authority

Enforcement Authority list continued on next page.





ENFORCEMENT AUTHORITY (continued)

FACILITY TYPE	NEW MEXICO DEPARTMENT OF AGRICULTURE	NEW MEXICO DEPARTMENT OF HEALTH	NEW MEXICO ENVIRONMENT DEPARTMENT	NEW MEXICO LIVESTOCK BOARD	LOCAL AGENCIES
Injunction	Authority		Authority		Authority
Warning Letters	Authority		Authority		Authority
License Suspension	Authority		Authority		Authority
License Revocation	Authority		Authority		Authority
Hearings	Authority		Authority		Authority
Closure			Authority		Authority
Mandatory Recall			Authority		Authority
Inspection Warrant	Authority		Authority		Authority
COMMENTS:					

