

Sections of act and regulations	Classes of operators	State	Effective date of designation
Act, 203; § 320.5	Persons engaged (not in or for commerce) in business as a meat broker; renderer; animal food manufacturer; wholesaler or public warehouseman of livestock carcasses, or parts or products thereof; or buying, selling, or transporting any dead, dying, disabled, or diseased livestock, or parts of carcasses of any such livestock that dies otherwise than by slaughter.	Alaska Arkansas California Colorado Connecticut Guam Idaho Kentucky Maine Maryland Massachusetts .. Michigan Missouri Nebraska Nevada New Hampshire New Jersey New York Northern Mariana Islands. Oregon Pennsylvania Puerto Rico Rhode Island Tennessee Virgin Islands ... Washington	July 31, 1999. Mar. 29, 1982. Apr. 1, 1976. July 1, 1975. Oct. 1, 1973. Nov. 19, 1976. Mar. 29, 1982. Apr. 18, 1976. Feb. 9, 1981. Mar. 31, 1991. Jan. 12, 1975. Mar. 29, 1982. Jan. 31, 1975. Jan. 31, 1975. Jan. 31, 1975. Oct. 29, 1979. July 1, 1975. July 16, 1973. Oct. 29, 1979. Jan. 31, 1974. May 2, 1975. Nov. 19, 1976. Mar. 29, 1982. Oct. 1, 1975. Nov. 19, 1976. Jan. 31, 1975.
Act, 204; §§ 325.20 and 325.21.	Persons engaged (not in or for commerce) in the business of buying, selling or transporting any dead, dying, disabled or diseased animals, or parts of carcasses of any animals that died otherwise than by slaughter.	Alaska Arkansas Connecticut Guam Idaho Kentucky Maine Maryland Massachusetts .. Michigan Nevada New Hampshire New Jersey New York Northern Mariana Islands. Oregon Pennsylvania Puerto Rico Rhode Island Virgin Islands ... Washington	July 31, 1999. Mar. 29, 1982. Oct. 1, 1975. Nov. 19, 1976. Mar. 29, 1982. Apr. 18, 1973. Feb. 9, 1981. Mar. 31, 1991. Jan. 12, 1976. Mar. 29, 1982. Jan. 31, 1975. Oct. 29, 1979. July 1, 1975. July 16, 1975. Oct. 29, 1979. Jan. 31, 1975. May 2, 1974. Nov. 19, 1976. Mar. 29, 1982. Nov. 19, 1976. Jan. 31, 1975.

[35 FR 19667, Dec. 29, 1970]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 331.6, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

PART 335—RULES OF PRACTICE GOVERNING PROCEEDINGS UNDER THE FEDERAL MEAT INSPECTION ACT

AUTHORITY: 21 U.S.C. 601-695; 7 CFR 2.17, 2.55.

SOURCE: 42 FR 10960, Feb. 25, 1977, unless otherwise noted.

Subpart A—Criminal Violations

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Sec. 335.40 Opportunity for presentation of views before report of criminal violations.

AUTHORITY: Sec. 406, Pub. L. 99-641, 100 Stat. 3571; 21 U.S.C. 606 note.

[42 FR 10960, Feb. 25, 1977. Redesignated at 64 FR 66545, Nov. 29, 1999]

§ 335.40 Opportunity for presentation of views before report of criminal violations.

(a) Except as provided in paragraphs (a)(1) through (5) of this section, before any violation of the Federal Meat Inspection Act is reported to the Department of Justice by the Secretary for criminal prosecution the Secretary must give reasonable notice to the suspected violator that the Secretary intends to report the violation for prosecution and give the suspected violator an opportunity to present the violator's views to the Secretary with respect to such proceeding.

(1) Notice and opportunity need not be provided if the Secretary has any reason to believe that providing such notice and opportunity could result in the alteration or destruction of evidence, or where disclosure could result in injury to persons or property.

(2) Notice and opportunity need not be provided if the Secretary has any reason to believe that providing such notice and opportunity could result in flight of a suspected violator to avoid prosecution.

(3) Notice and opportunity need not be provided if the Secretary has any reason to believe that providing such notice and opportunity could result in compromising special investigative techniques, such as undercover or other covert operations.

(4) Notice and opportunity need not be provided when the impending criminal referral involves suspicion of bribery and related offenses, or clandestine slaughtering and/or processing operations.

(5) Notice and opportunity need not be provided when the impending referral is part of an investigation involving non-Act violations, and the Act and non-Act violations are jointly referred for prosecution.

(b) A notice of opportunity to present views will be sent by registered or certified mail, summarize the violations that constitute the basis of the contemplated prosecution, and describe the procedures for presentation of views. Any information given by a respondent, orally or in writing, shall become part of the Department's official record concerning the matter. The Department is under no obligation to dis-

close evidence to the suspected violator.

[52 FR 13828, Apr. 27, 1987]

PART 350—SPECIAL SERVICES RELATING TO MEAT AND OTHER PRODUCTS

Sec.

350.1 Meaning of words.

350.2 Definitions.

350.3 Types and availability of service.

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350.5 Application for service.

350.6 Denial or withdrawal of service.

350.7 Fees and charges.

350.8 Scope and applicability of rules of practice.

AUTHORITY: 7 U.S.C. 1622, 1624; 7 CFR 2.17, 2.55.

SOURCE: 23 FR 9982, Dec. 23, 1958. Redesignated at 30 FR 4195, Mar. 31, 1965, and at 35 FR 15554, Oct. 3, 1970.

§ 350.1 Meaning of words.

Words used in this part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

§ 350.2 Definitions.

For the purposes of the regulations in this part, unless the context otherwise requires, the following terms shall be construed, respectively, to mean:

(a) *Department*. The United States Department of Agriculture.

(b) *Service*. The Food Safety and Inspection Service of the Department.

(c) *Administrator*. The Administrator of the Service or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(d) [Reserved]

(e) *Inspector*. Any officer or employee of the Department authorized to perform any duties under the regulations in this part.

(f) *Person*. Any individual, corporation, company, association, firm, partnership, society, or joint stock company, or other organized group of any of the foregoing.

(g) *Federally inspected and passed*. Inspected and passed under the Meat Inspection Act, as amended (21 U.S.C. 71