(b) The examination and inspection of ratites will be on the day of slaugh-
ter, except:

(1) When it is necessary for humane reasons to slaughter an injured animal
at night or on a Sunday or holiday, and the FSIS veterinary medical officer
cannot be obtained; or

(2) In low volume establishments, when ante mortem inspection cannot
be done on the day of slaughter, and the birds to be slaughtered have re-
ceived ante mortem inspection in the last 24 hours, provided the establish-
ment has an identification and control system over birds that have received
ante mortem inspection.

§ 381.71 Condemnation on ante
mortem inspection.

(a) Birds plainly showing on ante
mortem inspection any disease or con-
tamination that under §§ 381.80 to 381.93, in-
clusive, would cause condemnation of
their carcasses on post mortem inspec-
tion, shall be condemned. Birds which
on ante mortem inspection are con-
demned shall not be dressed, nor shall
they be conveyed into any department
of the official establishment where
poultry products are prepared or held.
Poultry which has been condemned on
ante mortem inspection and has been
killed or died otherwise shall under the
supervision of an inspector of the In-
spection Service, be disposed of as pro-
vided in § 381.95.

(b) Dead-on-arrival ratites and
ratites condemned on ante mortem in-
spection will be tagged “U.S. Con-
demned” by an establishment em-
ployee under FSIS supervision and dis-
posed of by one of the methods pre-
scribed in § 381.95.

(c) All seriously crippled ratites and
non-ambulatory ratites, commonly
termed “downers,” shall be identified
as “U.S. Suspects.”

(d) Ratites exhibiting signs of drug or
chemical poisoning shall be withheld
from slaughter.

(e) Ratites identified as “U.S. Sus-
pects” or “U.S. Condemned” may be
set aside for treatment. The “U.S. Sus-
pect” or “U.S. Condemned” identifica-
tion device will be removed by an es-
tablishment employee under FSIS su-
pervision following treatment if the
bird is found to be free of disease. Such
a bird found to have recovered from the
condition for which it was treated may
be released for slaughter or for pur-
poses other than slaughter, provided
that in the latter instance permission
is first obtained from the local, State,
or Federal sanitary official having ju-
risdiction over movement of such birds.

(f) When it is necessary for humane
reasons to slaughter an injured ratite
at night or Sunday or a holiday, and
the Agency veterinary medical officer
cannot be obtained, the carcass and all
parts shall be kept for inspection, with
the head and all viscera except the gas-
trointestinal tract held by the natural
attachment. If all parts are not so kept
for inspection, the carcass shall be con-
demned. If on inspection of a carcass
slaughtered in the absence of an in-
spector, any lesion or other evidence is
found indicating that the bird was sick
or diseased, or affected with any other
condition requiring condemnation of
the animal on ante mortem inspection,
or if there is lacking evidence of the
condition that rendered emergency
slaughter necessary, the carcass shall
be condemned. Ratites that are sick,
dying, or that have been treated with a
drug or chemical and presented for
slaughter before the required with-
drawal period, are not covered by emer-
gency slaughter provisions.

§ 381.72 Segregation of suspects on
ante mortem inspection.

(a) All birds, except ratites, that on
ante mortem inspection do not plainly
show, but are suspected of being af-
fected with, any disease or condition
that under §§ 381.80 to 381.93 of this Part
may cause condemnation in whole or in
part on post mortem inspection, shall
be segregated from the other poultry
and held for separate slaughter, evis-
ceration, and post mortem inspection.
The inspector shall be notified when
such segregated lots are presented for
post mortem inspection, and inspection
of such birds shall be conducted sepa-
rately. Such procedure for the correla-
tion of ante mortem and post mortem
findings by the inspector, as may be

VerDate Nov<24>2008 08:10 Feb 23, 2010 Jkt 220029 PO 00000 Frm 00453 Fmt 8010 Sfmt 8010 Y:\SGML\220029.XXX 220029erowe on DSK5CLS3C1PROD with CFR
§ 381.73 Quarantine of diseased poultry.

If live poultry, which is affected by any contagious disease which is transmissible to man, is brought into an official establishment, such poultry shall be segregated. The slaughtering of such poultry shall be deferred and the poultry shall be dealt with in one of the following ways:

(a) If it is determined by a veterinary inspector that further handling of the poultry will not create a health hazard, the lot shall be slaughtered separately, subject to ante mortem and post mortem inspection pursuant to the regulations.

(b) If it is determined by a veterinary inspector that further handling of the poultry will create a health hazard, such poultry may be released for treatment under the control of an appropriate State or Federal agency. If the circumstances are such that release for treatment is impracticable, a careful bird-by-bird ante mortem inspection shall be made, and all birds found to be, or which are suspected of being, affected with a contagious disease transmissible to man shall be condemned.

§ 381.74 Poultry suspected of having biological residues.

When any poultry at an official establishment is suspected of having been treated with or exposed to any substance that may impart a biological residue that would make their edible tissues adulterated, they shall, at the option of the operator of the establishment, be processed at the establishment and the carcasses and all parts thereof retained under U.S. Retained tags, pending final disposition in accordance with §381.80, of this part, and other provisions in subpart K, or they shall be slaughtered at the establishment and buried or incinerated in a manner satisfactory to the inspector. Alternatively, such poultry may be returned to the grower, if further holding is likely to result in their not being adulterated by reason of any residue. The Inspection Service will notify the other Federal and State agencies concerned of such action. To aid in determining the amount of residue present in the poultry, officials of the Inspection Service may permit the slaughter of any such poultry for the purpose of collecting tissues for analysis of the residue. Such analysis may include the use of implant screening procedures designed to detect the presence of antimicrobial residues in any species of poultry.

[47 FR 41336, Sept. 20, 1982]

§ 381.75 Poultry used for research.

(a) No poultry used in any research investigation involving an experimental biological product, drug, or chemical shall be eligible for slaughter at an official establishment unless the operator of such establishment, the sponsor of the investigation, or the investigator has submitted to the Inspection Service, or the Veterinary Biologics unit of Veterinary Services, Animal and Plant Health Inspection Service of the Department or the Environmental Protection Agency, or the Food and Drug Administration of the Department of Health, Education, and Welfare, data or a summary evaluation of the data which demonstrates that the use of such biological product,