

§ 590.161

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accordance with the regulations; (iii) the alterations of buildings, facilities, or equipment which have not been approved in accordance with the regulations; or (iv) assaulting, intimidating, impeding, obstructing, or interfering with any person engaged in or on account of the performance of his official duties.

(2) During such period of suspension, no processing of egg products for commerce shall be carried on in the official plant. If the plant facilities or methods of operation are not brought into compliance within a reasonable period of time, to be specified by the Administrator, inspection service shall be withdrawn from the official plant. Upon withdrawal of inspection service in an official plant, the plant approval for processing egg products shall also become terminated.

(3) The operator shall be notified of the withdrawal action and the reasons therefor and afforded an opportunity to present his views informally prior to the effective date of such withdrawal, and upon written request, he shall be afforded an opportunity for a hearing in accordance with the applicable rules of practice (7 CFR, part 1, subpart H), with respect to the merits or validity of the withdrawal, but such a suspension or other withdrawal shall continue in effect pending the outcome of any such hearing unless otherwise ordered by the Administrator.

(4) In any case where inspection service is suspended under this paragraph (f) of this section, such service, after appropriate corrective action is taken, will be restored immediately, or as soon thereafter as an inspector can be made available. In any case where inspection service is withdrawn for a specified period under this paragraph (f) of this section, the person concerned may, after said specified period has expired, apply for inspection service as provided in §§ 590.140 through 590.146.

[36 FR 9814, May 28, 1971, as amended at 37 FR 6657, Apr. 1, 1972. Redesignated at 42 FR 32514, June 27, 1977, as amended at 43 FR 60138, Dec. 26, 1978; 45 FR 23640, Apr. 8, 1980. Redesignated at 46 FR 63203, Dec. 31, 1981]

§ 590.161 Termination of plant approval.

When inspection service is not performed at any plant for a period of at least 90 days, plant approval shall terminate upon notice by the Administrator without further proceedings; provided, however, that this section shall not apply to any plant where the Administrator determines that such a plant operates on a seasonal basis and the inspection service has not been used as a result of such seasonal operation, or where operations have ceased due to extraordinary circumstances determined by the Administrator as not warranting termination of plant approval.

[45 FR 23641, Apr. 8, 1980. Redesignated at 46 FR 63203, Dec. 31, 1981]

RECORDS AND RELATED REQUIREMENTS FOR EGGS AND EGG PRODUCTS HANDLERS AND RELATED INDUSTRIES

§ 590.200 Records and related requirements.

(a) Persons engaged in the business of transporting, shipping, or receiving any eggs or egg products in commerce, or holding such articles so received, and all egg handlers, including hatcheries, shall maintain records showing, for a period of 2 years, to the extent that they are concerned therewith, the receipt, delivery, sale, movement, and disposition of all eggs and egg products handled by them, and shall, upon the request of an authorized representative of the Secretary, permit him, at reasonable times, to have access to and to copy all such records.

(b) Production records by categories of eggs such as graded eggs, nest-run eggs, dirties, checks, leakers, loss, inedible, etc., bills of sale, inventories, receipts, shipments, shippers, receivers, dates of shipment and receipt, carrier names, etc., as determined by the Administrator, shall be maintained by all egg processing operations, except that, official egg products plants which use all shell eggs received and do not reship any shell eggs need only to maintain records indicating the amount of eggs received, date received,