Food Safety and Inspection Service, USDA

§ 381.194

semi-moist animal food need not be de-
natured in accordance with § 381.95 if
the name of the article clearly conveys
the article’s intended use for animal
food and appears on the label in a con-
spicuous manner.

(i) Except as provided in paragraph
(ii) of paragraph (b)(3) of this section,
the name of the article must be stated
on the label as “Animal Food,” “Pet
Food,” or “(name of species) Food” (e.g.,
“Dog Food” or “Cat Food”). To be con-
sidered conspicuous, the name of the
article, wherever it appears on the
label, must be stated in letters at least
twice as high, wide, and thick as the
letters indicating the presence in the
article of any ingredients derived from
carcasses of poultry.

(ii) Notwithstanding the provisions of
paragraph (i) of paragraph (b)(3) of this
section, the article’s name may be
stated on the label to show that it is or
contains poultry carcass-source mate-
rial and that the article is for animals;
e.g., “Chicken for Pets” or “Turkey Din-
ner for Cats”: Provided, That the entire
name of the article is stated, wherever
it appears on the label, as an indi-
vidual, contiguous unit, whether stated
on a single line or more than one line,
and the letters denoting the article’s
intended use for animal food are at
least as high, wide, and thick as the
letters indicating the presence of mate-
rial derived from any poultry carcass.
However, when the label bears on its
principal display panel a vignette
which pictures, in clearly recognizable
form and size, one or more animals of
the species for which the article’s name
indicates the article is intended, the
letters used to state the article’s in-
tended use shall be at least one-half as
high, wide, and thick as the letters
used in the article’s name or other let-
ters indicating the presence of mate-
rial derived from any poultry carcass,
but shall not be less than ¼ inch high.
The letters used to state the article’s
intended use may be separated from
the article’s name by the vignette.

(iii) Letters used to denote the in-
tended use of the article must contrast
as markedly with their background as
the letters indicating the presence in
the article of poultry carcass-source
material contrast with their back-
ground.

(4) The requirements of this part do
not apply to livestock or poultry feed
manufactured from processed poultry
byproducts (such as poultry byproduct
meal, hydrolyzed poultry feathers, and
hydrolyzed poultry byproducts aggre-
gate), or to processed dry animal food.

[49 FR 47479, Dec. 5, 1984]

§ 381.194 Transportation and other
transactions concerning dead,
dying, disabled, or diseased poultry,
and parts of carcasses of poultry
that died otherwise than by slaugh-
ter.

No person engaged in the business of
buying, selling, or transporting in com-
merce, or importing any dead, dying,
disabled, or diseased poultry or parts of
the carcasses of any poultry that died
otherwise than by slaughter shall:

(a) Sell, transport, offer for sale or
transportation or receive for transpor-
tation, in commerce, any dead, dying,
disabled, or diseased poultry, or parts
of the carcasses of any poultry that
died otherwise than by slaughter, un-
less such poultry and parts are con-
signed and delivered, without avoidable
delay, to establishments of animal food
manufacturers, renderers, or collection
stations that are registered as required
by § 381.179, or to official establish-
ments that operate under Federal in-
spection, or to establishments that op-
erate under a State or Territorial in-
spection system approved by the Sec-
retary as one that imposes require-
ments at least equal to the Federal re-
quirements for purposes of section 5(c)
of the Act.

(b) Buy in commerce or import any
dead, dying, disabled, or diseased poul-
try or parts of the carcasses of any
poultry that died otherwise than by
slaughter, unless he is an animal food
manufacturer or renderer and is reg-
istered as required by § 381.179, or is the
operator of an establishment inspected
as required by paragraph (a) of this sec-
tion and such poultry or parts of car-
casses are to be delivered to establish-
ments eligible to receive them under
paragraph (a) of this section.

(c) Unload en route to any establish-
ment eligible to receive them under
paragraph (a) of this section, any dead,
dying, disabled, or diseased poultry or
parts of the carcasses of any poultry
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that died otherwise than by slaughter, which are transported in commerce or imported by any such person: Provided, That any such dead, dying, disabled, or diseased poultry, or parts of carcasses may be unloaded from a means of conveyance en route where necessary in case of a wreck or otherwise extraordinary emergency, and may be reloaded into another means of conveyance; but in all such cases, the carrier shall immediately report the facts by telegraph or telephone to the Director, Compliance Staff, Meat and Poultry Inspection Program, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250.

[40 FR 55310, Nov. 28, 1975]

Subpart T—Imported Poultry Products

§ 381.195 Definitions; requirements for importation into the United States.

(a) When used in this part, the following terms shall be construed to mean:

(1) Import (Imported). To bring within the territorial limits of the United States whether that arrival is accomplished by land, air, or water.

(2) For product from eligible countries other than Canada:

(i) Offer(ed) for entry. The point at which the importer presents the imported product to the Program for reinspection.

(ii) Entry (entered). The point at which imported product offered for entry receives reinspection and is marked with the official mark of inspection in accordance with § 327.26 of this part.

(3) For product from Canada:

(i) Offer(ed) for entry from establishments participating in the "streamlined" inspection procedures. The point at which an official of the Canadian inspection system contacts the Import Field Office for an inspection assignment.

(ii) Offer(ed) for entry from non-participating establishments. The point at which the importer presents the imported product to the Program for reinspection.

(iii) Entry (entered) for product not subject to reinspection. When the containers or the products themselves if not in containers are marked with the Canadian export stamp and the foreign inspection certificate accompanying the product is stamped as "Inspected and Passed" by the import inspector.

(iv) Entry (entered) for product subject to reinspection. When the containers or the products themselves if not in containers are marked with the Canadian export stamp and the foreign inspection certificate accompanying the product is stamped as "Inspected and Passed" by the import inspector.

(b) No slaughtered poultry, or parts or products thereof, shall be imported into the United States unless they are healthful, wholesome, fit for human food, not adulterated, and contain no dye, chemical, preservative, or ingredient which renders them unhealthful, unwholesome, adulterated, or unfit for human food and they also comply with the regulations prescribed in this subpart to assure that they comply with the standards provided for in the Act: Provided, That the provisions of this subpart apply to such articles only if they are capable of use as human food.

(c) Except as provided in § 381.207, slaughtered poultry and other poultry products may be imported only if they were processed solely in countries listed in § 381.196(b). Slaughtered poultry may be imported only if it qualifies as ready-to-cook poultry.


§ 381.196 Eligibility of foreign countries for importation of poultry products into the United States.

(a)(1) Whenever it shall be determined by the Administrator that the system of poultry inspection maintained by any foreign country, with respect to establishments preparing products in such country for export to the United States, insures compliance of such establishments and their poultry products, with requirements equivalent to all the provisions of the Act and the regulations in this part which are applied to official establishments in the United States, and their poultry products, and that reliance can be placed upon certificates required under this