§ 355.2

APPLICATION FOR INSPECTION, CERTIFICATION, AND IDENTIFICATION

355.4 Application.
355.5 Drawings.
355.6 Review of applications.

INauguration of Inspection

355.7 Inauguration of inspection.
355.8 Official number.
355.9 Numbers granted same ownership or control.
355.10 Assignment of inspectors.

FEES

355.11 Charge for survey.
355.12 Charge for service.

SANITATION AND FACILITIES

355.13 Sanitation.
355.14 Facilities.
355.15 Inedible material operating and storage rooms; outer premises, docks, driveways, etc.; fly-breeding material; nuisances.
355.16 Control of flies, rats, mice, etc.
355.17 Tagging equipment “U.S. rejected.”
355.18 Drawings and specifications to be furnished.

INSPECTION PROCEDURE

355.19 Inspector to be informed when plant operates.
355.20 Inspector to have access to plant at all times.
355.21 Products entering inspected plants.
355.22 Designation of place of receipt of returned products.
355.23 Tagging products “U.S. retained.”
355.24 Processes to be supervised.
355.25 Canning with heat processing and hermetically sealed containers; closures; code marking; heat processing; incubation.
355.26 Samples of certified products, ingredients, etc., to be taken for examination.
355.27 Reports of violations of regulations.

DISPOSITION OF CONDEMNED MATERIAL

355.28 Unfit material to be condemned.

COMPOSITION OF CERTIFIED PRODUCTS

355.29 Composition of certified products for dogs, cats, and other carnivora.

SUPERVISION

355.31 Supervision by inspector.

LABELING

355.32 Labeling required.
355.33 Plant number to be embossed on metal containers.
355.34 Labels, approval of, by Administrator.
355.35 Label information to be displayed on principal panel.

355.36 Obsolete labels.
355.37 Alteration or limitation of statement of certification.

PENALTIES

355.38 Withdrawal of service.

APPEALS

355.39 Appeals from decisions made under this part.

REPORTS

355.40 Plants to furnish information for reports.

MULE MEAT AND ANIMAL FOOD, MULE MEAT BY-PRODUCT

355.41 Antemortem and postmortem inspection for mules.
355.42 Marking of mule meat and animal food mule meat by-product.
355.43 Scope and applicability of rules of practice.

AUTHORITY: 7 U.S.C. 1622, 1624; 7 CFR 2.17 (g) and (i), 2.55.


DEFINITIONS

§ 355.1 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.

§ 355.2 Terms defined.

When used in this part unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:
(a) Person means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.
(b) Program means the Meat and Poultry Inspection Program of the Food Safety and Inspection Service of the United States Department of Agriculture.
(c) Circuit supervisor means an inspector of the Program assigned to supervise and perform official work at a circuit. Such inspector is assigned by and reports directly to the Administrator or other person designated by him.
(d) Inspector means an inspector of the Program.
(e) Inspected plant means any plant preparing certified products for dogs,
§ 355.2

cats, or other carnivora at which in-
spection is maintained under the regu-
lations contained in this part.

(f) Circuit means one or more in-
spected plants assigned to a circuit su-
pervisor.

(g) Animal protein supplement means a
product containing animal protein and
other elements normal to the compo-
nent for use in compounding a mainte-
nance food for dogs, cats, and other carnivora.

(h) Products means the products for
dogs, cats, and other carnivora marked, or to be marked, with the cer-
tification provided in this part.

(i) Meat means the U.S. inspected and
passed and so identified clean, whole-
some muscle tissue of cattle, sheep,
swine, or goats which is skeletal or
which is found in the tongue, in the di-
aphragm, in the heart, or in the esopha-
gus with or without the accompa-
nying and overlying fat and the por-
tions of sinews, nerves, and blood ves-
sels which normally accompany the
muscle tissue and which are not sepa-
rated from it in the process of dressing.

(j) Animal food meat by-product means
the part other than meat which has been derived from one or more cattle,
swine, goats or horses, or bone derived from mules slaughtered and passed under Program
inspection in accordance with §355.41.

(k) Horse meat means the U.S. in-
spected and passed and so identified clean, wholesome muscle tissue of
horses which is skeletal or which is
found in the tongue, in the diaphragm, in the heart, or in the esophagus, with
or without the accompanying and over-
lying fat and the portions of sinews, nerves, and blood vessels which nor-
manly accompany the muscle tissue and which are not sepa-
rated from it in the process of dressing.

(l) Animal food horse meat by-product means the part other than meat which has been derived from one or more horses that have been U.S. Inspected and Passed and is fit for use as animal food.

(m) Mule meat means the clean, sound, healthful, wholesome muscle tissue derived from mules as deter-
mined by antemortem and postmortem
inspection by an inspector in accord-
ance with §355.41. It includes muscle
tissue which is found in the tongue, in
the diaphragm, in the heart or in the esophagus, with or without the accompa-
nying and overlying fat and the por-
tions of sinews, nerves, and blood ves-
sels which normally accompany the
muscle tissue and which are not sepa-
rated from it in the process of dressing.

(n) Animal food mule meat by-product means the part other than meat which has been derived from one or more mules that have been handled in ac-
cordance with §355.41 and is fit for use as animal food.

(o) Bone means the U.S. inspected and
passed and so identified clean, wholesome bone which has been de-

erived from cattle, sheep, swine, goats or horses, or bone derived from mules slaughtered and passed under Program
inspection in accordance with §355.41.

(p) Poultry means any domesticated

(q) Poultry product means any edible
part of fresh poultry which have been slaughtered for human food and from
which the blood, feathers, feet, head
and viscera have been removed in ac-
cordance with rules and regulations
promulgated by the Secretary of Agri-
culture.

(r) Administrator. The Administrator
of the Food Safety and Inspection
Service or any officer or employee of
the Department to whom authority has
heretofore been delegated or may here-
after be delegated to act in his stead.

(s) Whale meat means the muscle tis-
sue of whales which is fit for use in ani-
mal food.

(t) Fish means the whole or part of
any aquatic, water breathing
vertebrates, commonly designated as
fish, which is fit for use in animal food.

(u) Animal food poultry byproduct means any portion of carcasses of poul-
try slaughtered under inspection and
passed in accordance with the Poultry
Products Inspection Act which is fit for use in animal food.

SCOPE OF INSPECTION SERVICE

§ 355.3 Plants eligible for inspection.
Upon application, inspection may be granted at a plant where products are to be prepared, when the Administrator has determined that the application conforms to and the plant meets with the requirements of this part.

APPLICATION FOR INSPECTION, CERTIFICATION, AND IDENTIFICATION

§ 355.4 Application.
The owner or operator of any plant of the kind specified in § 355.3 may apply to the Administrator for inspection, certification, and identification. In cases of change of ownership or change of location, new applications shall be made.

(Approved by the Office of Management and Budget under control number 0583-0036)

§ 355.5 Drawings.
Triplicate copies of complete drawings with specifications, consisting of floor plans showing the locations of such features as the principal pieces of equipment, floor drains, principal drainage lines, hand-washing basins, and hose connections for cleanup purposes; elevations; roof plans when necessary to show size and location of skylights and the like; cross and longitudinal sections of the various buildings, showing such features as principal pieces of equipment, heights of ceilings, conveyor rails, and character of floors, walls, and ceilings; and a plot plan showing relationship of various departments and structures of the plants, properly drawn to scale, shall accompany applications. Where complete approved drawings and specifications are available in the files of the Meat and Poultry Inspection Program, Food Safety and Inspection Service, U.S. Department of Agriculture, covering a plant operating under the supervision of that Program, it will not be necessary that drawings and specifications accompany an application made under this part for inspection at such plant.


§ 355.6 Review of applications.
The Administrator will determine whether applications shall be granted or refused.

INAUGURATION OF INSPECTION

§ 355.7 Inauguration of inspection.
When an application for inspection, certification, and identification is granted, the circuit supervisor shall, at or prior to the inauguration of inspection, inform the owner or operator of the plant of the requirements of the regulations contained in this part. Inspection shall not be begun if a plant is not in a sanitary condition. The applicant shall adopt and enforce all necessary measures and shall comply with all such directions as the circuit supervisor may prescribe for carrying out the purposes of this part.

§ 355.8 Official number.
To each plant granted inspection an official number shall be assigned. Such number shall be preceded by the letter “A” and used to identify all certified products prepared in the plant.

§ 355.9 Numbers granted same ownership or control.
Two or more official plants under the same ownership or control may be granted the same official number, provided a serial letter is added after the number in each case to identify the plant.

§ 355.10 Assignment of inspectors.
The Administrator shall designate a circuit supervisor of the inspection at each circuit and assign to him such assistants as may be necessary.