

U.S.C. 301 et seq.] with respect to any poultry carcass, or part or product thereof, that is outside any official establishment, and for such purposes the first reference to the Secretary in section 467a of this title shall be deemed to refer to the Secretary of Health, Education, and Welfare.

(Pub. L. 85-172, §24, as added Pub. L. 90-492, §17, Aug. 18, 1968, 82 Stat. 807; amended Pub. L. 96-88, title V, §509(b), Oct. 17, 1979, 93 Stat. 695.)

REFERENCES IN TEXT

The Federal Food, Drug, and Cosmetic Act, referred to in text, is act June 25, 1938, ch. 675, 52 Stat. 1040, as amended, which is classified generally to chapter 9 (§301 et seq.) of this title. For complete classification of this Act to the Code, see section 301 of this title and Tables.

CHANGE OF NAME

“Secretary of Health and Human Services” substituted for “Secretary of Health, Education, and Welfare” in par. (b) pursuant to section 509(b) of Pub. L. 96-88, which is classified to section 3508(b) of Title 20, Education.

§ 468. Cost of inspection; overtime

The cost of inspection rendered under the requirements of this chapter, shall be borne by the United States, except that the cost of overtime and holiday work performed in establishments subject to the provisions of this chapter at such rates as the Secretary may determine shall be borne by such establishments. Sums received by the Secretary in reimbursement for sums paid out by him for such premium pay work shall be available without fiscal year limitation to carry out the purposes of this section.

(Pub. L. 85-172, §25, formerly §19, Aug. 28, 1957, 71 Stat. 448, renumbered Pub. L. 90-492, §17, Aug. 18, 1968, 82 Stat. 805.)

§ 469. Authorization of appropriations

There is authorized to be appropriated such sums as are necessary to carry out the provisions of this chapter.

(Pub. L. 85-172, §26, formerly §20, Aug. 28, 1957, 71 Stat. 449, renumbered Pub. L. 90-492, §17, Aug. 18, 1968, 82 Stat. 805.)

§ 470. Reports to Congress

The Secretary shall annually report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate with respect to the slaughter of poultry subject to this chapter, and the preparation, storage, handling, and distribution of poultry parts, poultry products, and inspection of establishments operated in connection therewith, including the operations under and the effectiveness of this chapter.

(Pub. L. 85-172, §27, as added Pub. L. 90-492, §17, Aug. 18, 1968, 82 Stat. 807; amended Pub. L. 103-437, §8(1), Nov. 2, 1994, 108 Stat. 4588.)

AMENDMENTS

1994—Pub. L. 103-437 substituted “Agriculture, Nutrition, and Forestry” for “Agriculture and Forestry”.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 454 of this title.

CHAPTER 11—MANUFACTURE OF NARCOTIC DRUGS

§§ 501 to 517. Repealed. Pub. L. 91-513, title III, § 1101(a)(10), Oct. 27, 1970, 84 Stat. 1292

Sections, Pub. L. 86-429, Apr. 22, 1960, 74 Stat. 55, provided for licensing and control of the manufacture of all narcotic drugs and was known as the “Narcotic Manufacturing Act of 1960”. Sections 1 to 3 and 5 to 22 of said Pub. L. 86-429 were classified respectively to sections 501, 501 notes, and 502 to 517 of this title. Section 4 of Pub. L. 86-429 was classified to sections 4702, 4731, and 4731 note of Title 26, Internal Revenue Code. See section 801 et seq. of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective on first day of seventh calendar month that begins after Oct. 26, 1970, see section 1105(a) of Pub. L. 91-513, set out as a note under section 951 of this title. For provisions postponing such effective date if the Attorney General postpones the effective date of section 826 of this title, see section 1105(c) of Pub. L. 91-513, set out as an Effective Date note under section 951 of this title.

SAVINGS PROVISION

Prosecutions for any violation of law occurring, and civil seizures or forfeitures and injunctive proceedings commenced, prior to the effective date of repeal of these sections by section 1101 of Pub. L. 91-513 not to be affected or abated by reason thereof, see section 1103 of Pub. L. 91-513, set out as a note under sections 171 to 174 of this title.

CHAPTER 12—MEAT INSPECTION

SUBCHAPTER I—INSPECTION REQUIREMENTS; ADULTERATION AND MISBRANDING

- Sec. 601. Definitions.
- 602. Congressional statement of findings.
- 603. Inspection of meat and meat food products.
 - (a) Examination of animals before slaughtering; diseased animals slaughtered separately and carcasses examined.
 - (b) Humane methods of slaughter.
- 604. Post mortem examination of carcasses and marking or labeling; destruction of carcasses condemned; reinspection.
- 605. Examination of carcasses brought into slaughtering or packing establishments, and of meat food products issued from and returned thereto; conditions for entry.
- 606. Inspectors of meat food products; marks of inspection; destruction of condemned products; products for export.
- 607. Labeling, marking, and container requirements.
 - (a) Labeling receptacles or coverings of meat or meat food products inspected and passed; supervision by inspectors.
 - (b) Information on articles or containers; legible form.
 - (c) Labeling: type styles and sizes; definitions and standards of identity or composition; standards of fill of container; consistency of Federal and Federal-State standards.
 - (d) Sales under false or misleading name, other marking or labeling or in containers of misleading form or size; trade names, and other marking, labeling, and containers approved by Secretary.

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| <p>Sec.</p> <p>(e) Use withholding directive respecting false or misleading marking, labeling, or container; modification of false or misleading matter; hearing; withholding use pending proceedings; finality of Secretary's action; judicial review; application of section 194 of title 7.</p> <p>608. Sanitary inspection and regulation of slaughtering and packing establishments; rejection of adulterated meat or meat food products.</p> <p>609. Examination of animals and food products thereof, slaughtered and prepared during nighttime.</p> <p>610. Prohibited acts.</p> <p>(a) Slaughtering animals or preparation of articles capable of use as human food.</p> <p>(b) Humane methods of slaughter.</p> <p>(c) Sales, transportation, and other transactions.</p> <p>(d) Adulteration or misbranding.</p> <p>611. Devices, marks, labels, and certificates; simulations.</p> <p>(a) Devices to be made under authorization of Secretary.</p> <p>(b) Other misconduct.</p> <p>612. Inspection of animals for export.</p> <p>613. Inspectors of animals for export; certificates of condition.</p> <p>614. Clearance prohibited to vessel carrying animals for export without inspector's certificate.</p> <p>615. Inspection of carcasses, meat of which is intended for export.</p> <p>616. Inspectors of carcasses, etc., meat of which is intended for export; certificates of condition.</p> <p>617. Clearance prohibited to vessel carrying meat for export without inspector's certificate.</p> <p>618. Delivery of inspectors' certificates, and of copies.</p> <p>619. Marking, labeling, or other identification of kinds of animals of articles' derivation; separate establishments for preparation and slaughtering activities.</p> <p>620. Imports.</p> <p>(a) Adulteration or misbranding prohibition; compliance with inspection, building construction standards, and other provisions; humane methods of slaughter; treatment as domestic articles subject to this chapter and food, drug, and cosmetic provisions; marking and labeling; personal consumption exemption.</p> <p>(b) Terms and conditions for destruction.</p> <p>(c) Payment of storage, cartage, and labor charges by owner or consignee; liens.</p> <p>(d) Prohibition.</p> <p>(e) Reports to Congressional committees.</p> <p>(f) Inspection and other standards; applicability, enforcement, etc.; certifications.</p> <p>(g) Administration of animal drugs or antibiotics; terms and conditions; entry order violations.</p> <p>(h) Reciprocal meat inspection requirement.</p> <p>621. Inspectors to make examinations provided for; appointment; duties; regulations.</p> <p>622. Bribery of or gifts to inspectors or other officers and acceptance of gifts.</p> <p>623. Exemptions from inspection requirements.</p> <p>(a) Personal slaughtering and custom slaughtering for personal, household, guest, and employee uses.</p> | <p>Sec.</p> <p>(b) Territorial exemption; refusal, withdrawal, or modification.</p> <p>(c) Pizzas containing meat food products.</p> <p>(d) Adulteration and misbranding provisions applicable to inspection-free articles.</p> <p>624. Storage and handling regulations; violations; exemption of establishments subject to non-Federal jurisdiction.</p> <p style="text-align: center;">SUBCHAPTER II—MEAT PROCESSORS AND RELATED INDUSTRIES</p> <p>641. Prohibition of subchapter I inspection of articles not intended for use as human food; denaturation or other identification prior to distribution in commerce; inedible articles.</p> <p>642. Recordkeeping requirements.</p> <p>(a) Classes of persons bound; scope of disclosure; access to places of business; examination of records, facilities, and inventories; copies; samples.</p> <p>(b) Period of maintenance.</p> <p>643. Registration of business, name of person, and trade names.</p> <p>644. Regulation of transactions, transportation, or importation of 4-D animals to prevent use as human food.</p> <p>645. Federal provisions applicable to State or Territorial business transactions of a local nature and not subject to local authority.</p> <p style="text-align: center;">SUBCHAPTER III—FEDERAL AND STATE COOPERATION</p> <p>661. Federal and State cooperation.</p> <p>(a) Congressional statement of policy.</p> <p>(b) Single State agency; subordinate governmental unit as part of State agency.</p> <p>(c) State meat inspection requirements.</p> <p>(d) "State" defined.</p> <p style="text-align: center;">SUBCHAPTER IV—AUXILIARY PROVISIONS</p> <p>671. Inspection services; refusal or withdrawal; hearing; business unfitness based upon certain convictions; other provisions for withdrawal of services unaffected; responsible connection with business; finality of Secretary's actions; judicial review; record.</p> <p>672. Administrative detention; duration; pending judicial proceedings; notification of governmental authorities; release.</p> <p>673. Seizure and condemnation.</p> <p>(a) Proceedings in rem; libel of information; jurisdiction; disposal by destruction or sale; proceeds into the Treasury; sales restrictions; bond; court costs and fees, storage, and other expenses against claimants; proceedings in admiralty; jury trial; United States as plaintiff.</p> <p>(b) Condemnation or seizure under other provisions unaffected.</p> <p>674. Federal court jurisdiction of enforcement and injunction proceedings and other kinds of cases; limitations of section 607(e) of this title.</p> <p>675. Assaulting, resisting, or impeding certain persons; murder; protection of such persons.</p> <p>676. Violations.</p> <p>(a) Misdemeanors; felonies: intent to defraud and distribution of adulterated articles; good faith.</p> <p>(b) Minor violations; written notice of warning of criminal and civil proceedings.</p> <p>677. Other Federal laws applicable for administration and enforcement of chapter; location of inquiries; jurisdiction of Federal courts.</p> |
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678. Non-Federal jurisdiction of federally regulated matters; prohibition of additional or different requirements for establishments with inspection services and as to marking, labeling, packaging, and ingredients; recordkeeping and related requirements; concurrent jurisdiction over distribution for human food purposes of adulterated or misbranded and imported articles; other matters.
679. Application of Federal Food, Drug, and Cosmetic Act.
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CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 321, 392 of this title; title 7 sections 138f, 6519.

SUBCHAPTER I—INSPECTION REQUIREMENTS; ADULTERATION AND MISBRANDING

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in sections 641, 661, 671, 672, 673, 678 of this title.

§ 601. Definitions

As used in this chapter, except as otherwise specified, the following terms shall have the meanings stated below:

- (a) The term "Secretary" means the Secretary of Agriculture of the United States or his delegate.
- (b) The term "firm" means any partnership, association, or other unincorporated business organization.
- (c) The term "meat broker" means any person, firm, or corporation engaged in the business of buying or selling carcasses, parts of carcasses, meat, or meat food products of cattle, sheep, swine, goats, horses, mules, or other equines on commission, or otherwise negotiating purchases or sales of such articles other than for his own account or as an employee of another person, firm, or corporation.
- (d) The term "renderer" means any person, firm, or corporation engaged in the business of rendering carcasses or parts or products of the carcasses, of cattle, sheep, swine, goats, horses, mules, or other equines, except rendering conducted under inspection or exemption under this subchapter.
- (e) The term "animal food manufacturer" means any person, firm, or corporation engaged in the business of manufacturing or processing animal food derived wholly or in part from carcasses, or parts of products of the carcasses, of cattle, sheep, swine, goats, horses, mules, or other equines.
- (f) The term "State" means any State of the United States and the Commonwealth of Puerto Rico.

(g) The term "Territory" means Guam, the Virgin Islands of the United States, American Samoa, and any other territory or possession of the United States, excluding the Canal Zone.

(h) The term "commerce" means commerce between any State, any Territory, or the District of Columbia, and any place outside thereof; or within any Territory not organized with a legislative body, or the District of Columbia.

(i) The term "United States" means the States, the District of Columbia, and the Territories of the United States.

(j) The term "meat food product" means any product capable of use as human food which is made wholly or in part from any meat or other portion of the carcass of any cattle, sheep, swine, or goats, excepting products which contain meat or other portions of such carcasses only in a relatively small proportion or historically have not been considered by consumers as products of the meat food industry, and which are exempted from definition as a meat food product by the Secretary under such conditions as he may prescribe to assure that the meat or other portions of such carcasses contained in such product are not adulterated and that such products are not represented as meat food products. This term as applied to food products of equines shall have a meaning comparable to that provided in this paragraph with respect to cattle, sheep, swine, and goats.

(k) The term "capable of use as human food" shall apply to any carcass, or part or product of a carcass, of any animal, unless it is denatured or otherwise identified as required by regulations prescribed by the Secretary to deter its use as human food, or it is naturally inedible by humans.

(l) The term "prepared" means slaughtered, canned, salted, rendered, boned, cut up, or otherwise manufactured or processed.

(m) The term "adulterated" shall apply to any carcass, part thereof, meat or meat food product under one or more of the following circumstances:

(1) if it bears or contains any poisonous or deleterious substance which may render it injurious to health; but in case the substance is not an added substance, such article shall not be considered adulterated under this clause if the quantity of such substance in or on such article does not ordinarily render it injurious to health;

(2)(A) if it bears or contains (by reason of administration of any substance to the live animal or otherwise) any added poisonous or added deleterious substance (other than one which is (i) a pesticide chemical in or on a raw agricultural commodity; (ii) a food additive; or (iii) a color additive) which may, in the judgment of the Secretary, make such article unfit for human food;

(B) if it is, in whole or in part, a raw agricultural commodity and such commodity bears or contains a pesticide chemical which is unsafe within the meaning of section 346a of this title,

(C) if it bears or contains any food additive which is unsafe within the meaning of section 348 of this title,

(D) if it bears or contains any color additive which is unsafe within the meaning of section