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Authority

The provisions of this Chapter 1 issued under the Pennsylvania Meat and Poultry Hygiene Law of 1968 (31 P. S. §§ 483.1—483.24), unless otherwise noted.

Source

The provisions of this Chapter 1 adopted January 22, 1971, effective January 1, 1971, 1 Pa.B. 853, unless otherwise noted.

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Cross References

This subchapter cited in 7 Pa. Code § 1.156 (relating to conditions which may cause food poisoning); 7 Pa. Code § 1.202 (relating to separation of facilities for inedible and edible products); and 7 Pa. Code § 1.541 (relating to requirement for official inspection legend).

DEFINITIONS; APPLICATION; SCOPE

§ 1.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Act—The Pennsylvania Meat and Poultry Hygiene Act of 1968 (31 P. S. §§ 483.1—483.24).

Adulterated—Any carcass, part thereof, meat or meat food product which is in one or more of the following conditions:

(i) Bears or contains any poisonous or deleterious substance which may render it injurious to health. If the substance is not an added substance, however, the article shall not be considered adulterated under this subparagraph if the quantity of such substance in or on the article does not ordinarily render it injurious to health.

(ii) 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 a pesticide chemical in or on a raw agricultural commodity, a food additive or a color additive, which may, in the judgment of the Department, make such article unfit for human food.

(iii) If the article is, in whole or in part a raw agricultural commodity, and it bears or contains a pesticide chemical which is unsafe within the meaning of the Federal Food, Drug and Cosmetic Act (21 U.S.C.A. § 346(a)).

(iv) Bears or contains:

(A) any food additive which is unsafe within the meaning of the Federal Food, Drug and Cosmetic Act (21 U.S.C.A. § 348);

(B) any color additive which is unsafe within the meaning of the Federal Food, Drug and Cosmetic Act (21 U.S.C.A. § 376); or

(C) any pesticide chemical, food additive or color additive prohibited for use in official establishments by this chapter.

(v) If it consists in whole or in part of any filthy, putrid, or decomposed substance or is for any other reason unsound, unhealthful, unwholesome, or otherwise unfit for human food.

(vi) If it has been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health.

(vii) If it is, in whole or in part, the product of an animal which has died otherwise than by slaughter.

(viii) If its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health.

(ix) If it has been intentionally subjected to radiation, unless the use of the radiation was in conformity with a regulation or exemption in effect pursuant to the Federal Food, Drug, and Cosmetic Act (21 U.S.C.A. § 348).

(x) If any valuable constituent has been in whole or in part omitted or abstracted therefrom, or if any substance has been substituted, wholly or in part therefor, or if damage or inferiority has been concealed in any manner, or if any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight or reduce its quality or strength or make it appear better or of greater value than it is.

(xi) If it is margarine containing animal fat and any of the raw material used therein consisted in whole or in part of any filthy, putrid or decomposed substance, or is otherwise adulterated.

Animal food—Any article intended for use as food for dogs, cats or other animals derived wholly, or in part, from the carcass or parts or products of the carcass of any livestock, except that the term does not include livestock and poultry feeds manufactured from processed animal by-products, such as meat meal tankage, meat and bone meal, blood meal, and feed grade animal fat.

Animal food manufacturer—Any person engaged in the business of manufacturing or processing animal food except manufacturers of livestock and poultry feeds with respect to any activity of acquiring or using processed animal byproducts (such as meat meal tankage, meat and bone meal, blood meal, and feed grade animal fat) in the manufacture of such feeds.

Artificial flavoring—A flavoring containing any sapid or aromatic constituent which was manufactured by a process of synthesis or other similar artifice.

Artificial coloring—A coloring containing any dye or pigment which was manufactured by a process of synthesis or other similar artifice, or a coloring which was manufactured by extracting a natural dye or natural pigment from a plant or other material in which such dye or pigment was naturally produced.

Biological residue—Any substance, including metabolites, remaining in livestock at time of slaughter or in any of its tissues after slaughter as the result of treatment or exposure of the livestock to a pesticide, organic or inorganic compound, hormone, hormone-like substance, growth promoter, antibiotic, anthelmintic, tranquilizer, or other therapeutic or prophylactic agent.

Bureau—The Bureau of Animal Health and Diagnostic Services of the Department of Agriculture.

Capable of use as human food—The term applies to any carcass, or part or product of a carcass of any livestock unless it is condemned, denatured or otherwise identified as inedible under the applicable provisions of this chapter to deter its use as a human food, or unless it is naturally inedible by humans, such as hoofs or horns in their natural state.

Carcass—All parts, including viscera, of any slaughtered livestock.

Chemical preservative—Any chemical that, when added to a meat or meat food product, tends to prevent or retard deterioration thereof but does not include common salt, sugars, vinegars, spices or oils extracted from spices or substances added to meat and meat food products by exposure to wood smoke.

Chief—The Chief of the Division of Meat Hygiene or any officer or employee of the Department to whom authority has heretofore been delegated or may hereafter be delegated to act in his stead.

Commerce—Commerce within this Commonwealth.

Cutting up—Any division of any carcass or part thereof, except the trimming of carcasses or parts thereof to remove surface contaminants.

Dead livestock—The body (cadaver) of livestock which has died otherwise than by slaughter.

Department—The Department of Agriculture of the Commonwealth.

Division—The Division of Meat Hygiene of the Bureau.

Dying, diseased or disabled livestock—Livestock which has or displays symptoms of having any of the following:

- (i) Central nervous system disorder.
- (ii) Abnormal temperature (high or low).
- (iii) Difficult breathing.
- (iv) Abnormal swellings.
- (v) Lack of muscular coordination.
- (vi) Inability to walk normally or stand.
- (vii) Any of the conditions for which livestock is required to be condemned on antemortem inspection in accordance with Subchapter B of this Chapter (relating to antemortem inspections).

Edible—Intended for use as human food.

Experimental animal—Any animal used in any research investigation involving the feeding or other administration of, or subjection to, an experimental biological product, drug or chemical or any nonexperimental biological product, drug or chemical used in a manner for which it was not intended.

Federal Act—The Federal Food, Drug and Cosmetic Act (21 U.S.C.A. § 301 *et seq.*).

Firm—Any partnership, association or other unincorporated business organization.

Further processing—The smoking, cooking, canning, curing, refining, or rendering in an official establishment of product previously prepared in official establishments.

Immediate container—The receptacle or other covering in which any product is directly contained or wholly or partially enclosed.

Inedible—Adulterated, uninspected or not intended for use as human food.

“Inspected and Passed” or “Pa. Inspected and Passed” or Pa. Inspected and Passed by Department of Agriculture (or any authorized abbreviation

thereof)—The product so identified has been inspected and passed under the provisions of this Chapter, and at the time it was inspected, passed and identified, it was found to be not adulterated.

Inspector—An inspector of the Meat Inspection Program.

Label—A display of written, printed or graphic matter upon the immediate container (not including package liners) of any article.

Labeling—All labels and other written, printed, or graphic matter upon any article or any of its containers or wrappers, or accompanying such article.

Livestock—Cattle, sheep, swine or goats.

Meat—The part of the muscle of any cattle, sheep, swine or goats, which is skeletal or which is found in the tongue, diaphragm, heart or esophagus, with or without the accompanying and overlying fat, and the portions of bone, skin, sinew, nerve and blood vessels which normally accompany the muscle tissue and which are not separated from it in the process of dressing. It does not include the muscle found in the lips, snout or ears.

Meat byproduct—Any part capable of use as human food, other than meat, which has been derived from one or more cattle, sheep, swine or goats.

Meat food product—Any article 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, except those exempted from definition as a meat food product by the Department in specific cases or by the provisions of Subchapter H (relating to marking and labeling) upon a determination that they 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 if they comply with any requirements that are imposed in such cases or regulations as conditions of such exemptions to assure that the meat or other portions of such carcasses contained in such articles are not adulterated and that such articles are not represented as meat food products.

Meat broker—Any person engaged in the business of buying or selling carcasses, parts of carcasses, meat or meat food products of livestock on commission, or otherwise negotiating purchases or sales of such articles other than for his own account or as an employe of another person.

Misbranded—Applies to any carcass, part thereof, meat or meat food product under one or more of the following circumstances:

- (i) If its labeling is false or misleading in any particular.
- (ii) If it is offered for sale under the name of another food.
- (iii) If it is an imitation of another food, unless its label bears, in type of uniform size and prominence, the word “imitation” and immediately thereafter, the name of the food imitated.
- (iv) If its container is so made, formed or filled as to be misleading.
- (v) If in a package or other container unless it bears a label showing:
 - (A) the name and place of business of the manufacturer, packer or distributor; and

(B) an accurate statement of the quantity of the contents in terms of weight, measure or numerical count, except as otherwise provided in Subchapter H (relating to marking and labeling).

(vi) If any word, statement or other information required by or under authority of the act to appear on the label or other labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices, in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

(vii) If it purports to be or is represented as a food for which a standard of identity or composition has been prescribed in Subchapter J (relating to product standards of identity) unless:

(A) it conforms to such definition and standard; and

(B) its label bears the name of the food specified in the definition and standard and, insofar as may be required by such regulations, the common names of optional ingredients (other than spices, flavoring, and coloring) present in such food.

(viii) If it purports to be or is represented as a food for which a standard of fill of container have been prescribed in Subchapter J and it falls below such standard, unless its label bears, in the manner and form as such regulations specify, a statement that it falls below the standard:

(ix) Except as otherwise provided in subparagraph (vii), if its label does not bear:

(A) the common or usual name of the food, if any, and

(B) if it is fabricated from two or more ingredients, the common or usual name of each such ingredient, except as otherwise provided in Subchapter H.

(x) If it purports to be or is represented for special dietary uses, unless its label bears such information concerning its vitamin, mineral and other dietary properties.

(xi) If it bears or contains any artificial flavoring, artificial coloring, or chemical preservative, unless it bears a label stating that fact, except as otherwise provided in Subchapter H.

(xii) If it fails to bear (directly thereon or on its containers) when required by the provisions of this chapter, the inspection legend and such other information as the Department may require, to assure that it will not have false or misleading labeling and that the public will be informed of the manner of handling required to maintain the article in a wholesome condition.

Official certificate—Any certificate prescribed by the provisions of this Chapter for issuance by an inspector or other person performing official functions under the act.

Official device—Any device prescribed by Subchapter E (relating to official marks, devices and certificates) for use in applying any official mark.

Official establishment—Any slaughtering, cutting, boning, meat canning, curing, smoking, salting, packing, rendering or similar establishment at which inspection is maintained under the provisions of this chapter.

Official inspection legend—Any symbol prescribed by the provisions of this Chapter showing that an article was inspected and passed in accordance with the act.

Official mark—The official inspection legend or any other symbol prescribed by the provisions of this Chapter to identify the status of any article or animal under the act.

Pa. Condemned—Livestock so identified has been inspected and found to be in a dying condition, or to be affected with any other condition or disease that would require condemnation of its carcass.

Pa. Inspected and Condemned (or any authorized abbreviation thereof)—The carcass, viscera, other part of carcass, or other product so identified has been inspected, found to be adulterated, and condemned.

Pa. Passed For Cooking—The meat or meat byproduct so identified has been inspected and passed on condition that it be cooked or rendered as prescribed by § 1.217 (relating to rendering products passed for cooking; lard, pork fat and tallow).

Pa. Passed for Refrigeration—The meat or meat byproduct so identified has been inspected and passed on condition that it be refrigerated or otherwise handled as prescribed in Subchapter D (relating to disposal of diseased or otherwise adulterated carcasses).

Pa. Rejected—The equipment, utensil room, compartment or article so identified may not be used until the condition for its rejection has been corrected to an inspector's satisfaction.

Pa. Retained—The carcass, viscera, other part of carcass, or other product or article so identified is held for further examination by an inspector to determine its disposal.

Pa. Suspect—Livestock so identified is suspected of being affected with a disease or condition which may require its condemnation, in whole or in part, when slaughtered, and is subject to further examination by an inspector to determine its disposal.

Prepared—Slaughtered, canned, salted, rendered, boned, cut up or otherwise manufactured or processed.

Product—Any carcass, meat, meat byproduct or meat food product capable of use as human food.

Program—The Meat Inspection Program of the Division of Meat Hygiene.

Program employe—Any inspector or other individual employed by the Department or any cooperating agency who is authorized by the Department to do any work or perform any duty in connection with the program.

Region—One of the seven regions of the Department.

Renderer—Any person engaged in the business of rendering carcasses or parts or products of the carcasses of any livestock except rendering conducted under inspection or exemption.

Shipping container—The outside container (box, bag, barrel, crate or other receptacle or covering) containing or wholly or partly enclosing any product packed in one or more immediate containers.

Supervision—The controls, as prescribed in instructions to program employes, to be exercised by them over particular operations to insure that such operations are conducted in compliance with the act and the provisions of this Chapter.

Veterinary supervisor—The officer in charge of meat inspection in a region.

(b) In addition to the definitions in subsection (a) and the respective subchapters of this chapter the definitions of the following terms contained in the Federal Food, Drug and Cosmetic Act (21 U.S.C.A. § 321(q)—(t)) shall apply to this chapter:

- (1) Color additive.
- (2) Food additive.
- (3) Pesticide chemical.
- (4) Raw agricultural commodity.

Source

The provisions of this § 1.1 amended August 25, 1972, 2 Pa.B. 1606. Immediately preceding text appears at serial page (2838).

§ 1.2. Application of inspection requirements.

(a) Except as otherwise provided, inspection under this chapter shall be required at every establishment in which any livestock are slaughtered for transportation or sale as articles of commerce, or in which any products of, or derived from carcasses of livestock are, in whole or in part, prepared for transportation as sale as articles of commerce, and which are intended for use as human food.

(b) Before the inspection is granted, the operator of each establishment of the kind required by subsection (a) to have inspection shall make application therefor to the Administrator as provided in this section.

(c) Every application under this section shall be made on a form furnished by the Program, Meat Hygiene Division, Pennsylvania Department of Agriculture, Harrisburg, Pennsylvania 17120, and shall include all information called for by that form, including the name, address, and type of legal entity of any tenant, and the name and principal office address of any subsidiary corporation that will prepare product or conduct any other operation at the establishment for which inspection is requested. The applicant for inspection will be held responsible for compliance by all such tenants or subsidiaries with the act and the regulations in this subchapter at such establishment if inspection is granted. The tenants and

subsidiaries will also be held responsible for compliance with the act and regulations in this subchapter. Preparation of product and other operations at the establishment for which inspection is granted may be conducted only by the applicant and any of its tenants and subsidiary corporations named in the application.

(d) In cases of change of ownership, location, tenants or subsidiaries, a new application shall be made.

(e) Each applicant for inspection shall submit to the program, four copies of the following:

(1) Complete drawings with specifications of the floor plans of the establishment for which inspection is requested, showing the locations of principal pieces of equipment, floor drains, principal drainage lines, handwashing basins and hose connections for cleanup purposes.

(2) A plot plan showing the limits of the establishment's premises, locations in outline of buildings on the premises, cardinal points of the compass and roadways and railways serving the establishment.

(3) A room schedule showing the finish of walls, floors and ceilings of all rooms in the establishment. The specifications shall include statements describing the water supply, plumbing, drainage, refrigeration, equipment, lighting and operations of the establishment related to sanitation and proper performance of inspection. Applicants for inspection may request information from the Administrator concerning the requirements before submitting drawings and other documents required by this paragraph.

(f) The Administrator is authorized to grant inspection upon his determination that the applicant and the establishment are eligible therefor and to refuse to grant inspection at any establishment if he determines that it does not meet the requirements of this section or the requirements of §§ 1.21—1.27, 1.31—1.35, 1.41—1.46 and 1.51—1.67 or that the applicant has not received approval of labeling and containers to be used at the establishment as required by the Subchapter H (relating to marking and labeling). When inspection is refused for any reason, the applicant will be informed of the action and the reasons therefor and afforded an opportunity to present his views.

Source

The provisions of this § 1.2 amended September 17, 1971, 1 Pa.B. 1825.

§ 1.3. Scope.

All livestock and all products entering any official establishment and all products prepared, in whole or in part, therein, shall be inspected, handled, stored, prepared, packaged, marked and labeled as required in this chapter.

EXEMPTIONS**§ 1.11. General.**

The requirements of the act and this chapter for inspection of the preparation of products shall not apply to the following:

(1) The slaughtering by an individual of livestock of his own raising, and the preparation by him and transportation in commerce of the carcasses, parts thereof, meat and meat food products of such livestock exclusively for use by him and members of his household and his nonpaying guests and employees.

(2) The custom slaughter by any person of cattle, sheep, swine or goats delivered by the owner thereof for such slaughter, and the preparation by the slaughterer and transportation in commerce of the carcasses, parts thereof, meat and meat food products of such livestock, exclusively for use, in the household of such owner, by him and members of his household and his nonpaying guests and employees or the custom preparation by any person of carcasses, parts thereof, meat or meat food products derived from the slaughter by any individual of cattle, sheep, swine or goats of his own raising or from game animals delivered by the owner thereof for such custom preparation, and transportation in commerce of such custom prepared articles, exclusively for use in the household of such owner, by him and members of his household and his nonpaying guests and employees if the following requirements are met by such custom operator:

(i) The establishment in which the custom operations are conducted is maintained and operated in accordance with §§ 1.51—1.66.

(ii) If the custom operator prepares or handles any products for sale, they are kept separate and apart from the custom prepared products at all times while the latter are in his custody.

(iii) The custom prepared products are plainly marked in branding ink “Not for Sale” in letters three-eighths inch in height except that such products need not be so marked if they are in immediate containers labeled in accordance with § 1.277 (relating to labeling custom prepared products).

(iv) If exempted custom slaughtering or other preparation of products is conducted in an official establishment, all facilities and equipment in the official establishment used for such custom operations shall be thoroughly cleaned and sanitized before they are used for preparing any products for sale.

Cross References

This section cited in 7 Pa. Code § 1.12 (relating to requirements for exempted products); 7 Pa. Code § 1.15 (relating to identity of retail store); 7 Pa. Code § 1.234 (relating to custom prepared products); and 7 Pa. Code § 1.297 (relating to game animals and custom-slaughtered livestock).

§ 1.12. Requirements for exempted products.

(a) Custom prepared products exempted under § 1.11 (relating to general) shall not be adulterated and shall be prepared and handled in accordance with the appropriate provisions of this chapter.

(b) Custom operators shall keep records, in addition to records otherwise required by this chapter, showing the numbers and kinds of livestock slaughtered on a custom basis, the quantities and types of products prepared on a custom basis, and the names and addresses of the owners of the livestock and products.

(c) Articles capable of use as human food, resulting from the exempted custom slaughter or other preparation of products shall be promptly denatured or otherwise identified in accordance with § 1.549 (relating to denaturing procedures) of this subchapter and not removed from the establishment where the custom operations are conducted until so identified, unless they are delivered to the owner of the articles for use in accordance with § 1.11(2).

§ 1.13. Operations of retail stores and restaurants.

Operations of types traditionally and usually conducted at retail stores and restaurants and which are exempt from inspection are the following:

- (1) Cutting up, slicing and trimming carcasses, halves, quarters or wholesale cuts into retail cuts such as steak, chops and roasts, and freezing the cuts.
- (2) Grinding and freezing products made from meat.
- (3) Curing, cooking, smoking or other preparation of products except slaughtering, rendering or refining of livestock fat or the retort-processing of canned products.
- (4) Breaking bulk shipments of products.
- (5) Wrapping or rewrapping products.

Cross References

This section cited in 7 Pa. Code § 1.15 (relating to identity of retail store); and 7 Pa. Code § 1.16 (relating to identity of restaurant).

§ 1.14. Normal retail quantity.

Any quantity or product purchased by a consumer from a particular retail supplier shall be deemed to be a normal retail quantity if the quantity so purchased does not in the aggregate exceed one-half carcass. The following amounts of product shall be accepted as representing one-half carcass of the species identified:

<i>Product</i>	<i>One-Half Carcass (Pounds)</i>
Cattle	300
Calves	37.5
Sheep	27.5

<i>Product</i>	<i>One-Half Carcass (Pounds)</i>
Swine	100
Goats	25

Cross References

This section cited in 7 Pa. Code § 1.15 (relating to identity retail store); and 7 Pa. Code § 1.16 (relating to identity of restaurant).

§ 1.15. Identity of retail store.

(a) A retail store is any place of business which complies with the following requirements:

(1) Sales of product are made to consumers only.

(2) At least 75%, in terms of dollar value, of the total sales of product represents sales to household consumers and the total dollar value of product sales to consumers other than household consumers does not exceed \$10,000 annually.

(3) Only Federally or State inspected and passed product is handled or used in the preparation of any product, except that product resulting from the custom slaughter or preparation of product may be handled or used, but not for sale, in accordance with § 1.11(2) (relating to general).

(4) No sale of product is made in excess of a normal retail quantity as defined in § 1.14 (relating to normal retail quantity).

(5) The preparation of products for sale to household consumers is limited to the operations specified in § 1.13 (relating to operations of retail stores and restaurants).

(6) The preparation of products for sale to other than household consumers is limited to the operations specified in § 1.13(1),(2),(4) and (5).

(b) A retail store at which custom slaughtering or preparation of products is conducted is not thereby disqualified from exemption as a retail store.

Cross References

This section cited in 7 Pa. Code § 1.16 (relating to identity of restaurant).

§ 1.16. Identity of restaurant.

A restaurant is any establishment which complies with the following requirements:

(1) Product is prepared only for sale or service in meals or as entrees, directly to individual consumers at such establishment.

(2) Only Federally or State Inspected and passed product or such product prepared at a retail store exempted under § 1.15 (relating to identity of retail store) is handled or used in the preparation of any product.

(3) No sale of product is made in excess of a normal retail quantity as defined in § 1.14 (relating to normal retail quantity).

(4) The preparation of product is limited to the operations specified in § 1.13 (relating to operations of retail stores and restaurants). This includes a caterer who delivers or serves product in meals or as entrees to individual consumers only and who otherwise meets the requirements of this section.

Source

The provisions of this § 1.16 amended September 17, 1971, 1 Pa.B. 1825. Immediately preceding text appears at serial page (1207).

§ 1.17. Similar retail-type establishments; consumers.

(a) The following establishments shall also be exempted from the inspection under this chapter:

(1) Any combination retail store and restaurant.

(2) Any delicatessen which meets the requirements of a retail store as a restaurant.

(3) Any other establishment specified by the Department.

(b) A consumer is any household consumer, hotel, restaurant or similar institution specified by the Department.

§ 1.18. Adulteration and misbranding of exempted products.

(a) The adulteration and misbranding provisions of the act and of this chapter except the requirement for an official inspection legend shall apply to articles which are exempted from inspection. This includes the requirement for destruction of trichina in pork and any product containing only pork in compliance with § 1.331 (relating to treatment of pork and products containing pork).

(b) The Department may extend the inspection requirements to any establishment at which products are prepared for distribution, if it determines, in accordance with the provisions of the act, that it is producing adulterated products which would clearly endanger the public health.

(c) The Department in specific cases, may modify by relieving the inspection and related requirements of this chapter when it determines that application of the modified requirements will be adequate to effectuate the purposes of the act.

INSPECTION PROCEDURES

§ 1.21. Official numbers.

(a) An official number shall be assigned to each establishment granted inspection. The number shall be used to identify all inspected and passed products prepared in the establishment. More than one number shall not be assigned to an establishment.

(b) Two or more official establishments under the same ownership or control shall be assigned individual numbers.

(c) When inspection has been granted to any applicant at an establishment it shall not be granted to any other person at the same establishment, except that a subsidiary or tenant of the grantee, preparing any product at the establishment, may receive inspection at the same establishment.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements).

§ 1.22. Separation of official establishments.

(a) Each official establishment shall be separate and distinct from any unofficial establishment, except a poultry products processing establishment operated under the act or under State inspection.

(b) The slaughter or other preparation of products of horses, mules or other equines shall be done in establishments separate from any establishment in which cattle, sheep, swine or goats are slaughtered or their products are prepared.

(c) Inspection shall not be inaugurated in any building any part of which is used as living quarters, unless the part for which inspection is requested is separated from such quarters by floors, walls and ceilings of solid concrete, brick, wood or similar material, and the floor, walls and ceilings are without openings that directly or indirectly communicate with any part of the building used as living quarters.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements).

§ 1.23. Sanitation and adequate facilities.

(a) Inspection may not be inaugurated unless the establishment:

- (1) Is in a sanitary condition.
- (2) Agrees to maintain a sanitary condition.
- (3) Provides adequate facilities for conducting inspections.

(b) Prior to the inauguration of inspection, an examination of the establishment and premises shall be made by a program employe and sanitation requirements and facilities necessary for inspection shall be specified by him.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements).

§ 1.24. Specifications for equipment and sanitation prior to granting inspection.

(a) Three copies of drawings with specifications, plot plan and room schedule for remodeling any official establishment or part thereof, and for new struc-

tures to be used in an official establishment or part thereof, shall be submitted to the Department and approval obtained for the plans in advance of construction.

(b) Subsection (a) supersedes 1 Pa. Code § 33.15 (relating to number of copies).

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements).

§ 1.25. Inauguration of inspection.

(a) When inspection is granted, the veterinary supervisor shall, at or prior to the inauguration of inspection, inform the operator of the establishment of the requirements of this chapter.

(b) If the establishment, at the time inspection is inaugurated, contains any product which has not theretofore been inspected, passed and marked in compliance with this chapter, the identity of such product shall be maintained, and it shall not be distributed in commerce or otherwise subject to this chapter or dealt with as inspected and passed.

(c) The establishment shall adopt and enforce all necessary measures and shall comply with all such directions as the Department may prescribe, for carrying out the purposes of this section.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements).

§ 1.26. Withdrawal of inspection.

(a) —

(1) The Department may withdraw inspection from an official establishment where the sanitary conditions are such that its products are rendered adulterated, or for failure of the operator to destroy condemned products as required by the act and this chapter.

(2) Inspection may be withdrawn in accordance with the applicable rules of practice.

(b) —

(1) Inspection service may be withheld when the operator of any official establishment or tenant therein, or any officer, employe or agent or any such operator or any subsidiary or tenant therein, acting within the scope of his office, employment or agency assaults, resists, opposes, impedes, intimidates or interferes with any program employe while engaged in or on account of the performance of his official duties under the act.

(2) Such withholding of inspection shall continue in effect until assurances acceptable to the Department are received that there cannot be any recurrences.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements).

§ 1.27. Reports of violations.

Program employes shall report in a manner prescribed by the Department all violations of the provisions of the act or of this chapter of which they have information.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements).

PROGRAM EMPLOYES**§ 1.31. Designation of veterinary supervisor.**

The Chief shall designate the veterinary supervisor in each region and assign to such supervisor assistants as may be necessary.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements).

§ 1.32. Access to establishments.

For the purpose of any inspection necessary to prevent the use in commerce of any adulterated product, program employes shall have access at all times, by day or night, to every part of any official establishment to which they are assigned, whether the establishment is operated or not. Access to establishments is also authorized in accordance with section 14 of the act (31 P. S. § 483.14) and Subchapter K (relating to records, registration and reports).

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements).

§ 1.33. Identification card of inspectors.

Each inspector shall be furnished with a numbered official card of identification which he shall not allow to leave his possession. This card shall be sufficient identification to entitle him to admittance at all regular entrances and to all parts of the establishment and premises to which he is assigned.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements).

§ 1.34. Assignment and conduct of employes.

(a) *Assignment.* Except as specifically authorized by the Department no program employe shall be detailed for duty at an establishment where any member of his family is employed by the operator of the establishment or any tenant or subsidiary of such operator, nor shall any officer in charge or other employe acting in a supervisory capacity be continued on duty at a circuit where any member of his family is so employed at any establishment under his jurisdiction.

(b) *Soliciting employment.* program employes are forbidden to solicit for any person employment at any official establishment, or by any officer, manager, or employe thereof.

(c) *Procuring product.* program employes shall not procure product from any official establishment or any other establishment if its operations or products are inspected or regulated under the act or any other law administered by the Department unless the store or outlet from which the purchase is made is open to the general public and the price paid by such employe is the same as the price paid by the general public. program employes shall pay, and obtain receipts for money paid to such establishments for all such products and keep such receipts subject to inspection by supervisory employes or other authorized Department employes.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements).

§ 1.35. Appeals from employe decisions.

Any appeal from a decision of any program employe shall be made to his immediate supervisor having jurisdiction over the subject matter of the appeal, except as otherwise provided in the applicable rules of practice.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements).

INSPECTION FACILITIES

§ 1.41. Facilities for program employes.

(a) Office space, including necessary furnishings, light, heat and janitor service, shall be provided by official establishments, rent free, for the exclusive use for official purposes of the inspector and other program employes assigned thereto. The space set aside for this purpose shall meet with approval of the officer in charge and shall be conveniently located, properly ventilated and provided with lockers suitable for the protection and storage of program supplies, and with facilities suitable for program employes to change clothing if such facilities are deemed necessary by the officer in charge.

(b) At the discretion of the Department, small plants requiring the services of less than one full time inspector need not furnish facilities for program employes where adequate facilities exist in a nearby convenient location.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements).

§ 1.42. Other facilities to be provided by the establishment.

When required by the veterinary supervisor, the following facilities and conditions, and such others as may be found to be essential to efficient conduct of inspection and maintenance of sanitary conditions, shall be provided by each official establishment:

(1) —

(i) Satisfactory pens, equipment and assistants for conducting antemortem inspection and for separating, marking and holding apart from passed livestock those marked “Pa. Suspect” and those marked “Pa. Condemned.”

(ii) Pens, alleys, and runways shall be paved, drained and supplied with adequate hose connections for cleanup purposes.

(2) Sufficient light to be adequate for proper conduct of inspection.

(3) —

(i) Racks, receptacles or other suitable devices for retaining such parts as the head, tongue, tail, thymus gland and viscera, and all parts and blood to be used in the preparation of meat food products or medical products, until after the postmortem examination is completed, in order that they may be identified in case of condemnation of the carcass.

(ii) Equipment, trucks and receptacles for the handling of viscera of slaughtered animals so as to prevent contact with the floor.

(iii) Trucks, racks, marked receptacles, tables and other necessary equipment for the separate and sanitary handling of carcasses or parts passed for cooking.

(4) Tables, benches and other equipment on which inspection is to be performed of such design, material and construction as to enable program employes to conduct their inspection in a ready, efficient and clean manner.

(5) —

(i) Watertight metal trucks or receptacles for holding and handling diseased carcasses and parts, so constructed as to be readily cleaned.

(ii) Such trucks or receptacles shall be marked in a conspicuous manner with the phrase “Pa. Condemned” in letters not less than two inches high and, when required by the officer in charge, shall be equipped with facilities for locking or sealing.

(6) Adequate facilities, including liquid soap and cleansers, for cleansing and disinfecting hands, for sterilizing all implements used in dressing diseased carcasses, floors, and such other articles and places as may be contaminated by diseased carcasses or otherwise.

(7) —

(i) In establishments in which slaughtering is done, rooms, compartments or specially prepared open places, to be known as “final inspection places,” at which the final inspection of retained carcasses may be conducted.

(ii) Competent assistants for handling retained carcasses and parts shall be provided by the establishment.

(iii) Final inspection places shall be adequate in size and their rail arrangement and other equipment shall be sufficient to prevent carcasses and parts passed for food or cooking from being contaminated by contact with condemned carcasses or parts; they shall be equipped with hot water, lavatory, sterilizer, tables and other equipment required for ready, efficient, and sanitary conduct of the inspection.

(iv) The floors shall be of such construction as to facilitate the maintenance of sanitary conditions and shall have proper drainage connections, and when the final inspection place is part of a larger floor, it shall be separated from the rest of the floor by a curb, railing or otherwise.

(8) —

(i) Retention rooms, cages or other compartments, and receptacles in which carcasses and product may be held for further inspection.

(ii) These shall be in such number and in such locations as the needs of the inspection in the establishment may require; they shall be equipped for secure locking or sealing and shall be held under locks or official seals furnished by the Department. The keys of such locks shall not leave the custody of program employes.

(iii) Every such room, compartment or receptacle shall be marked conspicuously with the phrase "Pa. Retained" in letters not less than two inches high.

(iv) Rooms or compartments for these purposes shall be secure and susceptible of being kept clean, including a sanitary disposal of the floor liquids.

(v) Establishment employes shall not enter any retention rooms or compartments or open any retention receptacles unless authorized by program employes.

(9) —

(i) Adequate facilities, including denaturing materials, for the proper disposal of condemned articles.

(ii) Tanks or other rendering equipment shall be properly equipped for sealing when required by the provisions in Subchapter F (relating to disposal of condemned and other unedible products) or by the officer in charge in specific cases.

(10) Docks and receiving rooms, to be designated by the operator of the official establishment with the officer in charge, for the receipt and inspection of all products as provided in § 1.314 (relating to receiving place for articles to be reinspected).

(11) —

(i) Suitable lockers in which brands bearing the official inspection legend and other official devices (excluding labels) and official certificates shall be kept when not in use.

(ii) All such lockers shall be equipped for sealing or locking with locks or seals to be supplied by the Department and the keys of such locks shall not leave the custody of program employes.

(12) Sanitary facilities and accommodations as prescribed by § 1.57 (relating to specific sanitary accommodations).

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements).

§ 1.43. Requirements for inspectors.

The Department shall furnish the inspectors' work clothing and implements such as flashlights and knives for conducting inspections.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements).

§ 1.44. Hours of operation of official establishments.

(a) The operator of each official establishment shall inform the officer in charge or his assistant when work in each department has been concluded for the day, and of the day and hour when work will be resumed therein.

(b) Whenever any product is to be overhauled or otherwise handled in an official establishment during unusual hours, the establishment operator shall notify the veterinary supervisor or his assistant, within a reasonable time in advance, of the day and hour when such work will be commenced and such products shall not be handled prior to that time.

(c) No department of an official establishment in which are conducted operations requiring inspection shall be operated except under the supervision of a program employe.

(d) All slaughtering of livestock and preparation of products shall be done within reasonable hours, and with reasonable speed, considering the facilities of the establishment.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements).

§ 1.45. Designation of days and hours of operation.

When one inspector is detailed to conduct the work at two or more official establishments where few livestock are slaughtered or where but a small quantity of any product is prepared, the Department may designate the hours of the day and the days of the week during which operations requiring inspection in such establishments may be conducted.

Source

The provisions of this § 1.45 added October 22, 1971 1 Pa.B. 2014.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements).

§ 1.46. Overtime work of inspectors.

The operator of an official establishment desiring to work under conditions which will require the services of a program employe on any Saturday, Sunday, or holiday, or for more than eight hours on any other day, shall, sufficiently in advance of the period of overtime, request the officer in charge or his assistant to furnish inspection service during such overtime period, and shall pay the Department therefor an amount sufficient to reimburse it for the cost of the inspection services so furnished. It will be administratively determined from time to time which days constitute holidays.

Source

The provisions of this § 1.46 added August 25, 1972, 2 Pa.B. 1606.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements).

SANITATION**§ 1.51. General requirements for official establishments.**

(a) *Lighting and ventilation.* There shall be abundant light of good quality and well distributed, and sufficient ventilation for all rooms and compartments to insure sanitary conditions.

(b) *Plumbing.* There shall be an efficient drainage and plumbing system for the establishment and premises, and all drains and gutters shall be properly installed with traps and vents approved by the officer in charge.

(c) *Interior construction.* The floors, walls, ceilings, partitions, posts, doors and other parts of all structures shall be of such materials, construction and finish as will make them susceptible of being readily and thoroughly cleaned. The floors shall be kept watertight. The rooms and compartments used for edible product shall be separate and distinct from those used for inedible product.

(d) *Rails.* Rails shall be located and passageway space provided so that exposed product does not come in contact with posts, walls and other fixed parts of the building, or with barrels, boxes and other containers trafficked through holding and operating areas. Exposed product shall not be placed or stored beneath carcasses in coolers or holding areas.

(e) *Dust and odors.* The rooms and compartments in which any product is prepared or handled shall be free from dust and from odors from dressing and toilet rooms, catch basins, hide cellars, casing rooms, inedible tank and fertilizer rooms, and livestock pens.

(f) *Dogs and cats.* Dogs and cats shall be excluded from the interior of official establishments but dogs may be permitted on the outer premises for guard purposes.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements); 7 Pa. Code § 1.11 (relating to general); 7 Pa. Code § 1.57 (relating to specific sanitary accommodations); and 7 Pa. Code § 1.195 (relating to marks for postmortem inspections; inspection of unacceptable equipment and facilities).

§ 1.52. Potable water supply.

(a) The water supply shall be ample, clean and potable, with adequate facilities for its distribution in the plant and its protection against contamination and pollution.

(b) Every establishment shall make known and, whenever required by the veterinary supervisor, shall afford opportunity for inspection of the source of its water supply, the storage facilities and the distribution system.

(c) Equipment using potable water shall be so installed as to prevent back-siphonage into the potable water system.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements); 7 Pa. Code § 1.11 (relating to general); and 7 Pa. Code § 1.195 (relating to marks for postmortem inspections; inspection of unacceptable equipment and facilities).

§ 1.53. Use of nonpotable water.

(a) Nonpotable water is permitted only in those parts of official establishments where no edible product is handled or prepared, and then only for limited purposes such as on ammonia condensers not connected with the potable water supply, in vapor lines serving inedible product rendering tanks, in connection with equipment used for hashing and washing inedible products preparatory to tanking, and in sewer lines for moving heavy solids in the sewage.

(b) Nonpotable water is not permitted for washing floors, areas or equipment involved in trucking materials to and from edible product departments, in hog scalding vats, dehairing machines, or vapor lines serving edible product rendering equipment, or for cleanup of shackling pens, bleeding areas, or runways within the slaughtering department.

(c) In all cases, nonpotable water lines shall be clearly identified and shall not be cross-connected with the potable water supply unless this is necessary for fire protection and such connection is of a type with an adequate break to assure against accidental contamination, and is approved by local authorities and by the veterinary supervisor.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements); 7 Pa. Code § 1.11 (relating to general); and 7 Pa. Code § 1.195 (relating to marks for postmortem inspections; inspection of unacceptable equipment and facilities).

§ 1.54. Reuse of water.

(a) The veterinary supervisor may permit the reuse of water in vapor lines leading from deodorizers used in the preparation of lard and similar edible product and in equipment used for the chilling of canned product after retorting, if the reuse is for the identical original purpose and the following precautions are taken to protect the water that is reused:

(1) All pipelines, reservoirs, tanks, cooling towers and like equipment employed in handling the reused water are so constructed and installed as to facilitate their cleaning and inspection.

(2) Complete draining and disposal of the reused water, effective cleaning of the equipment, and renewal with fresh potable water is accomplished at such intervals as may be necessary to assure an acceptable supply of water for the purpose intended.

(3) Effective chlorination (not less than approximately one part per million of residual chlorine at any point within the cooling system) of the reused water utilized for cooling canned product is maintained but with the understanding that chlorination alone shall not be relied upon entirely or accepted in lieu of the requirements in paragraphs (1) and (2).

(b) Approval for the reuse of water other than as specified in subsection (a) shall be obtained from the Department in specific cases.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements); 7 Pa. Code § 1.11 (relating to general); and 7 Pa. Code § 1.195 (relating to marks for postmortem inspections; inspection of unacceptable equipment and facilities).

§ 1.55. Hot water for cleaning.

(a) An ample supply of water at not less than 180 F shall be furnished and used for the cleaning of inspection equipment and other equipment, floors and walls which are subject to contamination by the dressing or handling of diseased carcasses, their viscera, and other parts. Whenever necessary to determine compliance with this requirement, conveniently located thermometers shall be installed by the operator of the official establishment to show the temperature of the water at the point of use.

(b) Hot water for cleaning rooms and equipment other than those mentioned in subsection (a) shall be delivered under pressure to sufficient convenient outlets and shall be of such temperature as to accomplish a thorough cleanup.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements); 7 Pa. Code § 1.11 (relating to general); and 7 Pa. Code § 1.195 (relating to marks for postmortem inspections; inspection of unacceptable equipment and facilities).

§ 1.56. Vector control; use of poisons.

(a) Every practicable precaution shall be taken to exclude flies, rats, mice and other vermin from official establishments. The use of poisons for any purpose in rooms or compartments where any unpacked product is stored or handled is forbidden, except as prescribed by the veterinary supervisor in specific cases.

(b) The use of insecticides, rodenticides, and similar pest control substances in hide cellars, inedible product departments, outbuildings, or similar places or in storerooms containing canned or tierced products is not forbidden but only those approved by the Department may be used. So-called rat viruses shall not be used in any part of an establishment or the premises thereof.

(c) A list of approved pest control substances is available upon request from the Technical Services Division, Consumer and Marketing Service, United States Department of Agriculture, Washington, D.C. 20250.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements); 7 Pa. Code § 1.11 (relating to general); and 7 Pa. Code § 1.195 (relating to marks for postmortem inspections; inspection of unacceptable equipment and facilities).

§ 1.57. Specific sanitary accommodations.

Adequate sanitary facilities and accommodations shall be furnished by every official establishment. Of these, the following are specifically required:

(1) —

(i) Dressing rooms, toilet rooms, and urinals shall be sufficient in number, ample in size, and conveniently located. The rooms shall be provided with facilities to provide abundant light and ventilation and meet construction requirements in compliance with § 1.51 (relating to general requirements for official establishments).

(ii) They shall be separate from the rooms and compartments in which products are prepared, stored, or handled.

(iii) Where both sexes are employed, separate facilities shall be provided.

(2) Acceptable lavatories, including running hot and cold water, soap and towels, shall be placed in or near toilet and urinal rooms and also at such other places in the establishment as may be essential to assure cleanliness of all persons handling product.

(3) Toilet soil lines shall be separate from house drainage lines to a point outside the building and drainage from toilet bowls and urinals shall not be discharged into a grease catch basin.

- (4) Properly located facilities shall be provided for cleansing and disinfecting utensils and hands of all persons handling any product.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements); 7 Pa. Code § 1.11 (relating to general); 7 Pa. Code § 1.42 (relating to other facilities to be provided by the establishment); and 7 Pa. Code § 1.195 (relating to marks for postmortem inspections; inspection of unacceptable equipment and facilities).

§ 1.58. Construction of equipment; identification.

(a) Equipment and utensils used for preparing and otherwise handling any product shall be of such materials and construction as will make them susceptible of being readily and thoroughly cleaned and such as will insure strict cleanliness in the preparation and handling of all products. So far as is practicable, such equipment shall be made of metal or other impervious material.

(b) Trucks and receptacles used for inedible material shall bear some conspicuous and distinctive mark identifying them as used for such material, and shall not be used for handling edible products.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements); 7 Pa. Code § 1.11 (relating to general); and 7 Pa. Code § 1.195 (relating to marks for postmortem inspections; inspection of unacceptable equipment and facilities).

§ 1.59. Scabbards for knives.

Scabbards and similar devices for the temporary retention of knives, steels, triers and the like by workers and others at official establishments shall be constructed of rust-resisting metal or other impervious material, shall be of a type that may be readily cleaned, and shall be kept clean.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements); 7 Pa. Code § 1.11 (relating to general); and 7 Pa. Code § 1.195 (relating to marks for postmortem inspections; inspection of unacceptable equipment and facilities).

§ 1.60. Rooms, compartments—general.

Rooms, compartments, places, equipment and utensils used for preparing, storing, or otherwise handling any product, and all other parts of the establishment, shall be kept clean and in sanitary condition. There shall be no handling or storing of materials which create an objectionable condition in rooms, compartments, or places where any product is prepared, stored or otherwise handled.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements); 7 Pa. Code § 1.11 (relating to general); and 7 Pa. Code § 1.195 (relating to marks for postmortem inspections; inspection of unacceptable equipment and facilities).

§ 1.61. Sanitary operations and procedures.

(a) Operations and procedures involving the preparation, storing or handling of any product shall be strictly in accord with clean and sanitary methods.

(b) Rooms and compartments in which inspections are made and those in which livestock are slaughtered or any product is prepared shall be kept sufficiently free of steam and vapors to enable program employes to make inspections and to insure clean operations. The walls, ceilings and overhead structure of rooms and compartments in which product is prepared, handled or stored shall be kept reasonably free from moisture to prevent dripping and contamination of product.

(c) —

(1) Implements used in dressing diseased carcasses shall be thoroughly cleansed with hot water having a minimum temperature of 180°F or in a disinfectant approved by the Department, followed by rinsing in clean water.

(2) A list of approved disinfectants is available upon request to the Technical Services Division, Consumer and Marketing Service, United States Department of Agriculture, Washington, D.C. 20250.

(d) Equipment or substances which generate gases or odors shall not be used in official establishments except as permitted by this Chapter or by the veterinary supervisor in specific cases in which he determines that such use will not result in adulteration of any product.

(e) Products shall be protected from contamination from any source such as dust, dirt or insects during storage, loading or unloading at and transportation from official establishments.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements); 7 Pa. Code § 1.11 (relating to general); and 7 Pa. Code § 1.195 (relating to marks for postmortem inspections; inspection of unacceptable equipment and facilities).

§ 1.62. Employe sanitation; clothing.

(a) The employes of the establishment who handle any product shall keep their hands clean and, in all cases after visiting the toilet rooms or urinals, shall wash their hands before handling any product or implements used in the preparation of product.

(b) Butchers and others who dress or handle diseased carcasses or parts shall, before handling or dressing other carcasses or parts, cleanse their hands with liquid soap and hot water, and rinse them in clean water.

(c) Aprons, frocks and other outer clothing worn by persons who handle any product shall be of material that is readily cleansed. Clean garments shall be worn at the start of each working day and the garments shall be changed during the day when required by the veterinary supervisor.

(d) —

(1) Such practices as spitting on whetstones, spitting on the floor, placing skewers, tags or knives in the mouth, inflating lungs or casings with air from the mouth, or testing with air from the mouth such receptacles as tierces, kegs or casks containing or intended as containers of any product, are prohibited. Only mechanical means may be used for such testing.

(2) Care shall be taken to prevent the contamination of product with perspiration, hair, cosmetics, medications and similar substances.

(e) No operator of an official establishment or other person preparing product in an official establishment shall employ, in any department where any product is handled or prepared, any person showing evidence of a communicable disease in a transmissible stage, or known to be a carrier of such a disease, or while affected with boils, sores, infected wounds or other abnormal sources of micro-biological contaminants.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements); 7 Pa. Code § 1.11 (relating to general); and 7 Pa. Code § 1.195 (relating to marks for postmortem inspections; inspection of unacceptable equipment and facilities).

§ 1.63. Product containers and means of conveyance.

(a) When necessary to avoid contamination of product with wood splinters or similar contaminants, slack barrels and similar containers and the cargo space of trucks, railroad cars or other means of conveyance shall be lined with suitable material of good quality before packing.

(b) Slack barrels and similar containers and trucks, railroad cars and other means of conveyance in which any product is transported shall be kept in a clean and sanitary condition.

(c) Paper used for covering or lining slack barrels and similar containers and the cargo space of trucks, railroad cars or other means of conveyance shall be of a kind which does not tear during use but remains intact when moistened by the product and does not disintegrate.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements); 7 Pa. Code § 1.11 (relating to general); and 7 Pa. Code § 1.195 (relating to marks for postmortem inspections; inspection of unacceptable equipment and facilities).

§ 1.64. Burlap wrapping for meat.

Since burlap used without any other material as a wrapping for meat deposits lint on the meat and does not sufficiently protect it from outside contamination, the use of burlap as a wrapping for meat shall not be permitted unless the meat is first wrapped with a good grade of paper or cloth of a kind which will prevent contamination with lint or other foreign matter.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements); 7 Pa. Code § 1.11 (relating to general); and 7 Pa. Code § 1.195 (relating to marks for postmortem inspections; inspection of unacceptable equipment and facilities).

§ 1.65. Second-hand containers; tank cars.

(a) Second-hand tubs, barrels and boxes intended for use as containers of any product shall be inspected when received at the official establishment and before they are cleaned. Those showing evidence of misuse rendering them unfit to serve as containers for food products shall be rejected. The use of those showing no evidence of previous misuse may be allowed after they have been thoroughly and properly cleaned. Steaming, after thorough scrubbing and rinsing, is essential to cleaning tubs and barrels.

(b) Tank cars and tank trailers shall conform to the following:

(1) Interiors of tank cars and tank trailers about to be used for the transportation of any product from an official establishment shall be carefully inspected by a program employe for cleanliness even though the last previous content was edible.

(2) Lye and soda solutions used in cleaning such cars and trailers shall be thoroughly removed by rinsing with clean water.

(3) Whenever possible, program employes shall enter tank cars or tank trailers with a light and examine all parts of the interior.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements); 7 Pa. Code § 1.11 (relating to general); 7 Pa. Code § 1.195 (relating to marks for postmortem inspections; inspection of unacceptable equipment and facilities).

§ 1.66. Storage rooms; outer premises.

(a) All operating and storage rooms and departments of official establishments used for inedible materials shall be maintained in acceptably clean condition.

(b) The outer premises of every official establishment, including docks and areas where cars and vehicles are loaded, and the driveways, approaches, yards, pens and alleys, shall be properly paved and drained and kept in clean and orderly condition.

(c) All catch basins on the premises shall be of such construction and location and shall be given such attention as will insure their being kept in acceptable condition as regards odors and cleanliness. Catch basins may not be located in departments where any product is prepared, handled or stored.

(d) The accumulation on the premises of official establishments of any material in which flies may breed, such as hog hair, bones, paunch contents or manure, is prohibited. No other conditions that may result in adulteration of product or interfere with inspection shall be allowed in any official establishment or on its premises.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements); 7 Pa. Code § 1.11 (relating to general); and 7 Pa. Code § 1.195 (relating to marks for postmortem inspections; inspection of unacceptable equipment and facilities).

§ 1.67. Tagging unsanitary facilities.

When in the opinion of a program employe, any equipment, utensil, room or compartment at an official establishment is unclean or its use would be in violation of any of the provisions of this Chapter, he will attach a "Pa. Rejected" tag thereto. No equipment, utensil, room or compartment so tagged shall again be used until made acceptable. Such tag so attached shall not be removed by anyone other than a program employe.

Cross References

This section cited in 7 Pa. Code § 1.2 (relating to application of inspection requirements); and 7 Pa. Code § 1.195 (relating to marks for postmortem inspections; inspection of unacceptable equipment and facilities).

Subchapter B. ANTEMORTEM INSPECTIONS

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§ 1.81. General requirement.

All livestock offered for slaughter in an official establishment shall be examined and inspected on the day of and before slaughter unless, because of unusual circumstances, prior arrangements acceptable to the Department have been made in specific cases by the veterinary supervisor for such examination and inspection to be made on a different day before slaughter.

§ 1.82. Inspection pens.

(a) Antemortem inspection shall be made in pens on the premises of the establishment at which the livestock are offered for slaughter before the livestock shall be allowed to enter into any department of the establishment where they are to be slaughtered or dressed or in which edible products are handled.

(b) When the holding pens of an official establishment are located in a public stockyard and are reserved for the exclusive use of the establishment, such pens shall be regarded as part of the premises of that establishment and the operator of the establishment shall be responsible for compliance with all requirements of this chapter with respect to such pens.

§ 1.83. Identification of “Pa. Suspects”—general.

(a) Any livestock which, on antemortem inspection, does not clearly show but is suspected of being afflicted with any disease or condition that may cause condemnation of the carcass, or which shows any disease or condition that would cause condemnation of any part of the carcass on postmortem inspection under Subchapter D (relating to disposal of diseased or otherwise adulterated carcasses) shall be handled so as to retain its identity as a suspect until it is given final post-mortem inspection or until it is disposed of as otherwise provided in this Subchapter.

(b) All seriously crippled animals and animals commonly termed “downers” shall be identified as “Pa. Suspects” and disposed of as provided in § 1.141 (relating to general requirements) unless they are required to be classed as condemned under § 1.86 (relating to identification of “Pa. Condemned”—general).

(c) Each animal identified as a “Pa. Suspect” on antemortem inspection shall be set apart and shall be slaughtered separately from other livestock at that establishment unless disposed of as otherwise provided in this Subchapter.

(d) Each animal identified as a “Pa. Suspect” on antemortem inspection, when presented for slaughter shall be accompanied with a Form AAI-23 on which the inspector at the establishment shall record the “Pa. Suspect” identification number and any other identifying tag numbers present and a brief description of the animal and of the disease or condition for which the animal was classed as a suspect, including its temperature when the temperature of such animal might have a bearing on the disposition of the carcass on postmortem inspection.

(e) When any animal identified as a “Pa. Suspect” is released as provided in this Subchapter the official identification device shall be removed only by a program employe and he shall report his action to the veterinary supervisor. When a suspect is to be released for a purpose other than slaughter, the operator of the official establishment or the owner of the animal shall first obtain permission for the removal of such animal from the local, State or Federal livestock sanitary official having jurisdiction.

§ 1.84. Reactors to tuberculin tests.

Livestock which are known to have reacted to a tuberculin test shall be identified as “Pa. Suspects” and disposed of as provided in § 1.142 (relating to tuberculosis), except that livestock bearing an official “USDA Reactor” or similar State reactor tag shall not be tagged as “Pa. Suspects.”

§ 1.85. Immature livestock.

Livestock which are offered for antemortem inspection and which are regarded by the inspector as immature shall be identified as “Pa. Suspects” and, if slaughtered, the disposition of their carcasses shall be determined by the postmortem findings in connection with the antemortem conditions. If not slaughtered as suspects, such livestock shall be held under supervision of a program employe or other official designated by the veterinary supervisor and after sufficient development, may be released for slaughter or may be released for any other purpose, if they have not been exposed to any infectious or contagious disease. If such exposure occurs, permission shall be obtained from the nearest Bureau authorities prior to release of such livestock.

§ 1.86. Identification of “Pa. Condemned”—general.

The following livestock shall be identified as “Pa. Condemned” and disposed of in accordance with § 1.96 (relating to disposition of condemned livestock):

- (1) Livestock found to be dead or in a dying condition on the premises of an official establishment.

(2) Livestock plainly showing on antemortem inspection any disease or condition that, under Subchapter D (relating to disposal of diseased or otherwise adulterated carcasses), would cause condemnation of their carcasses on postmortem inspection.

(3) —

(i) Any swine having a temperature of 106°F or higher and any cattle, sheep or goats having a temperature of 105°F or higher.

(ii) In case of doubt as to the cause of the high temperature, or when for other reasons a program employe deems such action warranted, any such livestock may be held for a reasonable time under the supervision of a program employe for further observation and taking of temperature before final disposition of such livestock is determined. Any livestock so held shall be reinspected on the day it is slaughtered. If, upon such reinspection, or when not held for further observation and taking of temperature, then on the original inspection, the animal has a temperature of 106°F or higher in the case of swine, or 105°F or higher in the case of other livestock, it shall be condemned and disposed of.

(4) Any livestock found in a comatose or semicomatose condition or affected with any condition not otherwise covered in this subchapter, which would preclude release of the animal for slaughter for human food, except that such animal may be set apart and held for further observation or treatment under supervision of a program employe or other official designated by the veterinary supervisor and for final disposition in accordance with this subchapter.

Cross References

This section cited in 7 Pa. Code § 1.83 (relating to identification of “Pa. Suspects”—general); and 7 Pa. Code § 1.201 (relating to establishments having tanking facilities).

§ 1.87. Livestock affected with certain metabolic, toxic, nervous or circulatory disturbances; infectious or parasitic diseases; and others.

(a) Livestock showing, on antemortem inspection, symptoms of anaplasmosis, ketosis, leptospirosis, listeriosis, parturient paresis, pseudorabies, rabies, scrapie, tetanus, grass tetany, transport tetany, strangles, purpura hemorrhagica, azoturia, infectious equine encephalomyelitis, toxic encephalomyelitis (forage poisoning), dourine, acute influenza, generalized osteoporosis, glanders (farcy), acute inflammatory lameness or extensive fistula shall be identified as “Pa. Condemned” and disposed of accordingly.

(b) Livestock which have reacted to a test for leptospirosis or anaplasmosis, but which show no symptoms of the disease, shall be identified as “Pa. Suspects” and disposed of as provided in § 1.150 (relating to other diseases and conditions).

(c) Livestock previously condemned for listeriosis, if released for slaughter shall be identified as a "Pa. Suspect" in accordance with § 1.96 (relating to disposition of condemned livestock).

§ 1.88. Hog cholera.

(a) All hogs plainly showing on antemortem inspection that they are affected with hog cholera shall be identified as "Pa. Condemned" and disposed of in accordance with § 1.96 (relating to disposition of condemned livestock).

(b) All hogs, even though not themselves identified as "Pa. Suspects," which are of lots in which one or more animals have been condemned or identified as "Pa. Suspects" for hog cholera, shall, so far as possible, be slaughtered separately and apart from all other livestock passed on antemortem inspection.

(c) Hyperimmune swine shall be condemned on antemortem inspection if offered for slaughter within 10 days after hyperimmunization.

(d) Hyperimmune swine offered for slaughter after ten days following hyperimmunization shall be given antemortem inspection without reference to the injected virus.

§ 1.89. Epithelioma of the eye.

(a) Any animal found on antemortem inspection to be affected with epithelioma of the eye and the orbital region in which the eye has been destroyed or obscured by neoplastic tissue and which shows extensive infection, suppuration and necrosis, usually accompanied with foul odor, or any animal affected with epithelioma of the eye or of the orbital region which, regardless of extent, is accompanied with cachexia shall be identified as "Pa. Condemned" and disposed of accordingly.

(b) Any cattle found on antemortem inspection to be affected with epithelioma of the eye or of the orbital region to a lesser extent than as described in subsection (a) shall be identified as a "Pa. Suspect" and disposed of as provided in § 1.152 (relating to epithelioma of the eye).

§ 1.90. Anthrax.

(a) Any livestock found on antemortem inspection to be affected with anthrax shall be identified as "Pa. Condemned" and disposed of accordingly.

(b) No other livestock of a lot in which anthrax is found on antemortem inspection shall be slaughtered and presented for postmortem inspection until it has been determined by a careful antemortem inspection that no anthrax infected livestock remains in the lot.

(c) Apparently healthy livestock (other than hogs) from a lot in which anthrax is detected, and any apparently healthy livestock which have been treated with anthrax biologicals which do not contain living anthrax organisms, may be slaughtered and presented for postmortem inspection if they have been held not less than 21 days following the last treatment or the last death of any livestock in

the lot. Alternatively, if desired, all apparently healthy livestock of the lot may be segregated and held for treatment by a Commonwealth licensed veterinarian under supervision of a program employe or other official designated by the veterinary supervisor. No anthrax vaccine (live organisms) shall be used on the premises of an official establishment.

(d) Livestock which have been injected with anthrax vaccines (live organisms) within 6 weeks, and those bearing evidence of reaction to the treatment, such as inflammation, tumefaction or edema at the site of the injection, shall be condemned on antemortem inspection, or such animals may be held under supervision of a program employe or other official designated by the veterinary supervisor until the expiration of the six week period and the disappearance of any evidence of reaction to the treatment.

(e) When livestock are found on antemortem inspection to be affected with anthrax, all exposed livestock pens and driveways of the official establishment shall be cleaned and disinfected by promptly and thoroughly removing and burning all straw, litter and manure. This shall be followed immediately by a thorough disinfection of the exposed premises by soaking the ground, fences, gates and all exposed material with a 5% solution of sodium hydroxide or commercial lye prepared as outlined in § 1.121 (relating to cleaning of equipment contaminated with anthrax) or other disinfectant that may be approved in specific cases by the Department specifically for this purpose.

§ 1.91. Anasarca.

(a) Any livestock suspected of being affected with anasarca may be set apart and held for treatment under program or other responsible official supervision approved by the veterinary supervisor. If at the expiration of the treatment period the livestock upon examination is found to be free from disease, it may be released for any purpose. Otherwise, it shall be identified as "Pa. Suspect" and disposed of as provided in § 1.148 (relating to anasarca or generalized edema) or condemned and disposed of in accordance with subsection (b), whichever is appropriate.

(b) All cattle found on antemortem inspection to be affected with anasarca in advanced stages and characterized by an extensive and generalized edema shall be identified as "Pa. Condemned" and disposed of accordingly.

(c) Cattle found on antemortem inspection to be affected with anasarca to a lesser extent than as described in subsection (b) of this section shall be identified as "Pa. Suspects" and disposed of as provided in § 1.148 or subsection (a).

§ 1.92. Swine erysipelas.

(a) All hogs plainly showing on antemortem inspection that they are affected with acute swine erysipelas shall be identified as "Pa. Condemned" and disposed of accordingly.

(b) All hogs suspected on antemortem inspection of being affected with swine erysipelas shall be identified as "Pa. Suspects" and disposed of as provided in § 1.145 (relating to swine erysipelas) or subsection (c).

(c) A hog suspected of being affected with swine erysipelas may be set apart and held for treatment under program or other responsible official supervision approved by the veterinary supervisor. If at the expiration of the treatment period the animal upon examination is found to be free from disease, it may be released for any purpose. Otherwise, it shall be identified as "Pa. Suspect" and disposed of as provided in subsection (b) of this section or condemned and disposed of as provided in § 1.96 (relating to disposition of condemned livestock), whichever is appropriate.

§ 1.93. Parturition.

Any livestock showing signs of the onset of parturition shall be withheld from slaughter until after parturition and passage of the placenta. Slaughter or other disposition may then be permitted if the animal is otherwise acceptable.

§ 1.94. Vaccine livestock.

Vaccine livestock with unhealed lesions of vaccinia, accompanied with fever, which have not been exposed to any other infectious or contagious disease, are not required to be slaughtered and may be released for removal from the premises.

§ 1.95. Inspection prior to emergency slaughter.

In all cases of emergency slaughter, except as otherwise provided in this chapter, the animals shall be inspected immediately before slaughter, whether theretofore inspected or not. When the necessity for emergency slaughter exists, the establishment shall notify the veterinary supervisor or his assistant so that such inspection may be made.

§ 1.96. Disposition of condemned livestock.

(a) —

(1) Except as otherwise provided in this Subchapter, livestock identified as "Pa. Condemned" shall be killed by the official establishment, if not already dead. Such animals shall not be taken into the official establishment to be slaughtered or dressed, nor shall they be conveyed into any department of the establishment used for edible products. They shall be disposed of as provided in Subchapter F (relating to disposal of condemned and other inedible products).

(2) The official "Pa. Condemned tag" shall not be removed from, but shall remain on the carcass until it goes into the tank, or is otherwise disposed of, at which time the tag may be removed by a program employe only.

(3) The number of such tag shall be reported to the veterinary supervisor by the inspector who affixed it, and also by the inspector who supervised the tanking of the carcass.

(b) Any livestock condemned on account of ketosis, swine erysipelas, vesicular diseases, grass tetany, transport tetany, parturient paresis, anasarca, anaplasmosis, leptospirosis, listeriosis, or inflammatory condition including pneumonia, enteritis, and peritonitis may be set apart and held for treatment under supervision of a program employe or official designated by the veterinary supervisor. The "Pa. Condemned" identification tag shall be removed by a program employe following treatment under such supervision if the animal is found to be free from any such disease.

(c) Livestock previously affected with listeriosis, including those released for slaughter after treatment shall be identified as "Pa. Suspect."

(d) When livestock is to be released for a purpose other than slaughter, the operator of the official establishment or the owner of the livestock shall first obtain permission for the movement of such livestock from the local, State or Federal livestock sanitary official having jurisdiction.

Cross References

This section cited in 7 Pa. Code § 1.86 (relating to identification of "Pa. Condemned"—general); 7 Pa. Code § 1.87 (relating to livestock affected with certain metabolic, toxic, nervous or circulatory disturbances; infectious or parasitic diseases; and others); 7 Pa. Code § 1.88 (relating to hog cholera); and 7 Pa. Code § 1.92 (relating to swine erysipelas).

§ 1.97. Brucellosis-reactor goats.

Goats which have reacted to a test for brucellosis may not be slaughtered in an official establishment.

§ 1.98. Vesicular diseases.

(a) Immediate notification shall be given by the inspector to the local, State and Federal livestock sanitary officials having jurisdiction when any livestock is found to be affected with a vesicular disease.

(b) —

(1) Any livestock which is affected with vesicular exanthema or vesicular stomatitis, but which has recovered to the extent that the lesions are in process of healing, the temperature is within normal range, and the livestock shows a return to normal appetite and activity, shall be identified as "Pa. Suspect" and disposed of as provided in § 1.173 (relating to vesicular diseases), except that if desired, the livestock may be set apart and held under supervision of a program employe or other official designated by the veterinary supervisor for treatment.

(2) If the livestock is set aside for treatment, the “Pa. Suspect” identification device shall be removed by a program employe following the treatment, if the livestock is found to be free from any such disease.

(3) The livestock found to be free from any such disease may be released for slaughter or for purposes other than slaughter if in the latter instance, the operator of the official establishment or the owner of the animal first obtains permission from the local, State or Federal livestock sanitary official having jurisdiction over the movement of such livestock.

(c) No livestock under quarantine by State or Federal livestock sanitary officials on account of a vesicular disease shall be given antemortem inspection. If no quarantine is invoked, or if quarantine is invoked and later removed, upon antemortem inspection any animal found to be affected with vesicular exanthema or vesicular stomatitis in the acute stages, as evidenced by acute and active lesions or an elevated temperature, shall be identified as “Pa. Condemned” and disposed of accordingly.

§ 1.99. Feeding certification.

(a) Cattle or sheep may, subject to other requirements under this chapter, be slaughtered at any official establishment provided they are accompanied by a certificate as prescribed in this subsection, signed by the owner, feedlot manager, feeder, selling agent, buying agent, dealer or other person who had custody of the animals during a period of 7 days or more immediately prior to delivery to the official establishment. Each certificate shall show the following:

- (1) The number and kind of animals covered by the certificate.
- (2) That the person making the certification had custody of the animals for seven days or more immediately prior to delivery to the official establishment.
- (3) Whether the animals did or did not receive feed containing diethylstilbestrol (DES) while in the custody of the person making the certification.
- (4) The date of withdrawing from DES if the animals received feed containing DES.
- (5) That the regulations adopted pursuant to the Federal Food, Drug, and Cosmetic Act (21 U.S.C.A. § 301 et seq.) were followed when feed containing DES was used in the feeding of the animals.

(b) Alternatively, cattle or sheep may, subject to other requirements under this Chapter, be slaughtered at any official establishment provided any market agency or dealer who furnishes cattle or sheep to the official establishment and who had custody of the animals during an interim holding period of less than 7 days prior to delivery to the official establishment furnishes a certificate showing the following:

- (1) He has in his possession a certificate executed by another person or persons showing all of the following:
 - (i) The number and kind of animals covered by each certificate.

(ii) That, the person or persons making the certification has custody of the animals for a period of 7 days or more prior to their delivery to said dealer.

(iii) Whether the animals did or did not receive feed containing DES during the period in which the animals were in the custody of the person or persons making the certification.

(iv) The date of withdrawing from DES if the animals received feed containing DES during said period.

(v) That the regulations adopted under to the Federal Food, Drug, and Cosmetic Act were followed when feed containing DES was used in the feeding of the animals during said period.

(2) For animals shown by a certificate prescribed in paragraph (1) to have received feed containing DES within 7 days prior to the date of execution of the certificate of the market agency or dealer, the last date on which the animals received the feed, as shown by the certificate prescribed in paragraph (1).

(3) The animals offered for slaughter are the same animals covered by the certificates described in paragraph (1).

(4) The number and kind of animals covered by the certificate.

(5) The number of days the animals were in the custody of the market agency or dealer.

(6) The animals did not receive feed containing DES while in the custody of the market agency or dealer.

(c) A copy of each certificate issued by the market agency or dealer as prescribed in subsection (b) and the original certificates issued by other persons as prescribed in subsection (b)(1) shall be maintained by the market agency or dealer in his place of business for not less than 1 year after he issues his certificate under this section.

(d) Except as provided in subsection (c), the certificates must accompany the animals and be delivered by the operator of the official establishment to a program employe at the official establishment prior to presentation of the animals for slaughter.

(e) If it appears to the program employe, from the certificates, that there was compliance with the conditions specified in subsection (a)(5) and that the animals did not receive any feed containing DES for 7 days immediately prior to their presentation for slaughter, the animals may be slaughtered; otherwise, the animals shall be held at the establishment until the expiration of 7 days in which the animals have not received feed containing DES.

(f) The Department may, in specific cases, require the collection by a program employe and analysis by an approved laboratory of tissue samples from animals slaughtered under this section to determine whether they contain any DES residues.

Source

The provisions of this § 1.99 added February 11, 1972, 2 Pa.B. 211, amended March 24, 1972, 2 Pa.B. 505.

Cross References

This section cited in 7 Pa. Code § 1.100 (relating to conditional slaughter).

§ 1.100. Conditional slaughter.

In lieu of compliance with the procedures prescribed in § 1.99 (relating to feeding certification), cattle or sheep may be slaughtered at any official establishment upon the condition that all the carcasses and edible organs and other parts thereof shall be designated as “Pa. Retained” and held until samples of the tissues have been subjected to laboratory analyses for DES residues, in accordance with the following procedure, the results of the analyses have been furnished to the program employe, and the articles have been released by the program employe from retention or condemned under § 1.102 (relating to disposal of adulterated meat).

(1) A specified number of random samples as prescribed in the Pennsylvania Manual of Meat Inspection Procedures shall be collected by the program employe.

(2) The operator of the official establishment shall submit the samples to a laboratory that is acceptable to the Department and have such samples analyzed for DES residue. Expenses incurred in connection with such analyses shall be paid by the operator of the official establishment.

Source

The provisions of this § 1.100 added February 11, 1972, 2 Pa.B. 212.

§ 1.101. Livestock suspected of having biological residues.

Livestock suspected of having been treated with or exposed to any substance that may impart a biological residue which would make the edible tissues unfit for human food shall be identified as “Pa. Condemned.” These livestock may be held under the custody of a program employe or other official designated by the veterinary supervisor until metabolic processes have reduced the residue sufficiently to make the tissues fit for human food. When the required withdrawal time has elapsed, the livestock, if returned for slaughter, shall be reexamined on antemortem inspection. To aid in determining the amount of residue present in the tissues, officials of the program may permit the slaughter of any such livestock to collect tissues for analysis of the residue.

§ 1.102. Disposal of adulterated meat.

All carcasses and edible organs and other parts thereof, in which are found any biological residues which render such articles adulterated, shall be marked as

“Pa. Condemned” and disposed of in accordance with Subchapter F (relating to disposal of condemned and other inedible products).

Source

The provisions of this § 1.102 added February 11, 1972, 2 Pa.B. 212.

Cross References

This section cited in 7 Pa. Code § 1.100 (relating to conditional slaughter).

§ 1.103. Livestock used for research.

(a) No livestock used in any research investigation involving an experimental biological product, drug, or chemical shall be eligible for slaughter at an official establishment unless the following requirements are met:

(1) The operator of the establishment, the sponsor of the investigation, or the investigator has submitted to the Division data or a summary evaluation of the data which demonstrates that the use of such biological product, drug or chemical will not result in the products of the livestock being adulterated, and a program employe has approved the slaughter.

(2) Written approval by the Chief is furnished the veterinary supervisor prior to the time of slaughter.

(3) In the case of an animal administered any unlicensed, experimental veterinary biologic product regulated under the Virus-Serum Toxin Act (21 U.S.C.A. § 151 et seq.), the product was prepared and distributed in compliance with 9 CFR Part 103, and used in accordance with the labeling approved under such regulations.

(4) In the case of an animal administered any investigational drug regulated under the Federal Act, the drug was prepared and distributed in compliance with the applicable provisions of 21 CFR Part 135, and used in accordance with the labeling approved under the regulations.

(5) In the case of an animal subjected to any experimental economic poison under section 2(a) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C.A. § 135 et seq.), the product was prepared and distributed in accordance with 7 CFR 362.17, and used in accordance with the labeling approved under the regulations.

(6) In the case of an animal administered or subjected to any substance that is a food additive or pesticide chemical under the Federal Act, there has been compliance with all tolerance limitations established by the Act and the provisions of 21 CFR 1.1 et seq., and all other restrictions and requirements imposed by the Federal Act and the regulations shall be complied with at the time of slaughter.

(b) The veterinary supervisor may deny or withdraw the approval for slaughter of any livestock subject to the provisions of this section when he deems it necessary to assure that all products prepared at the official establishment are free from adulteration.

§ 1.104. Official marks and devices.

(a) All livestock required by this subchapter to be identified as “Pa. Suspects” shall be tagged by or under the supervision of a program employe with a serially numbered metal ear tag bearing the term “Pa. Suspect,” except as otherwise provided in this Subchapter and except that cattle affected with epithelioma of the eye, antinomycosis, or actinobacillosis to such an extent that the lesions would be readily detected on postmortem inspection, need not be individually tagged on antemortem inspection with the Pa. Suspect tag, if such cattle are segregated and otherwise handled as “Pa. Suspects.”

(b) In addition, identification of “Pa. Suspect” swine shall include the use of tattoos specified by the inspector to maintain the identity of the animals through the dehairing equipment when such equipment is used.

(c) All livestock required by this Part to be identified as “Pa. Condemned” shall be tagged with a serially numbered metal ear tag bearing the term “Pa. Condemned.”

(d) Except as otherwise provided in this subchapter, no official device shall be removed except by or under the supervision of a program employe.

Cross References

This section cited in 7 Pa. Code § 1.193 (relating to marks for antemortem inspections).

Subchapter C. POSTMORTEM INSPECTIONS

Sec.

- 1.111. Extent and time of inspection.
- 1.112. Requirement for identification of carcass.
- 1.113. Procedure for identification.
- 1.114. Retention of carcass or part.
- 1.115. Identification of retained carcasses.
- 1.116. Disposition of condemned carcasses.
- 1.117. Carcasses passed for cooking.
- 1.118. Spermatic cords; pizzles; preputial diverticuli.
- 1.119. Passing and marking of carcasses.
- 1.120. Carcasses affected with anthrax.
- 1.121. Cleaning of equipment contaminated with anthrax.
- 1.122. Sanitation of personnel contaminated with anthrax.
- 1.123. Carcasses with skin or hide on.
- 1.124. Cleaning of hog carcasses before incising.
- 1.125. Sternum; abdominal and thoracic viscera.
- 1.126. Inflating carcasses and transferring fat prohibited.

- 1.127. Handling bruised parts.
- 1.128. Hyperimmune swine.
- 1.129. Inspection and disposition of lungs; hog lungs.
- 1.130. Inspection of mammary glands.
- 1.131. Contamination of carcass or parts.
- 1.132. Inspection of kidneys.

Cross References

This subchapter cited in 7 Pa. Code § 1.195 (relating to marks for postmortem inspections; inspection of unacceptable equipment and facilities).

§ 1.111. Extent and time of inspection.

A careful postmortem examination inspection shall be made of the carcasses and parts thereof of all livestock slaughtered at official establishments. The inspection and examination shall be made at the time of slaughter unless, because of unusual circumstances, prior arrangements acceptable to the Department have been made in specific cases by the veterinary supervisor for making the inspection and examination at a later time.

§ 1.112. Requirement for identification of carcass.

The head, tail, tongue, thymus gland and all viscera of each slaughtered animal, and all blood and other parts of the animal to be used in the preparation of meat food products or medical products shall be handled in such a manner as to identify them with the rest of the carcass and as being derived from the particular animal involved until the postmortem examination of the carcass and parts thereof has been completed. The handling shall include the retention of ear tags, back tags, implants and other identifying devices affixed to the animal, in such a way as to relate them to the carcass.

Cross References

This section cited in 7 Pa. Code § 1.113 (relating to procedure for identification).

§ 1.113. Procedure for identification.

As part of the requirement specified in § 1.112 (relating to requirement for identification of carcass) the following steps shall be taken:

- (1) —
 - (i) The official State-Federal back tag of the carcass shall be removed from the hide or the animal by an establishment employe and placed in a clear plastic bag. The bag containing the tag shall be affixed to the corresponding carcass.
 - (ii) The bag containing the tag shall be removed from the carcass by an establishment employe and presented with the viscera to the program inspector at the point where the inspector conducts the viscera inspection.
- (2) —

(i) Brucellosis and tuberculosis ear tags, herd identification ear tags, sales tags, ear bangles and similar identification devices shall be removed from the animal's hide or ear of the animal by an establishment employe and shall be placed in a clear plastic bag and affixed to the corresponding carcass.

(ii) The bag containing the tag shall be removed from the carcass by an establishment employe and presented with the viscera to the program inspector at the point where such inspector conducts the viscera inspection.

(3) In cases where both types of devices described in paragraphs (1) and (2) are present on the same animal, both types may be placed in the same plastic bag or in two separate bags.

(4) The veterinary supervisor may allow the use of any alternate method proposed by the operator of an official establishment for handling the type of devices described in paragraph (2) if such alternate method would provide a ready means of identifying a specific carcass with the corresponding devices by a program inspector during the postmortem inspection.

(5) —

(i) The official State-Federal backtags shall be collected by a program inspector and used to obtain traceback information necessary for proper disposition of the animal or carcass and otherwise handled according to instructions issued to the inspectors.

(ii) The devices described in paragraph (2) shall be collected by the program inspector when required to obtain traceback information necessary for proper disposition of the animal or carcass and for controlling the slaughter of reactor animals. Devices not collected for these purposes shall be discarded after the postmortem examination is complete.

(6) Plastic bags used by the establishment for collecting identifying devices will be furnished by the Department.

§ 1.114. Retention of carcass or part.

(a) Each carcass, including all detached organs and other parts, in which any lesion or other condition is found that might render the meat or any part unfit for food purposes, or which is otherwise adulterated and would therefore require a subsequent inspection shall be retained by the program employe at the time of inspection.

(b) The identity of such retained carcass, detached organ or other part shall be maintained until the final inspection has been completed.

(c) Retained carcasses may not be washed or trimmed unless authorized by the program employe.

§ 1.115. Identification of retained carcasses.

The devices and methods as may be approved by the Department may be used for the temporary identification of retained carcasses, organs and other parts. In

all cases, the identification shall be further established by affixing "Pa. Retained" tags as soon as practicable and before final inspection. These tags shall not be removed except by a program employe.

§ 1.116. Disposition of condemned carcasses.

(a) Each carcass or part which is found on final inspection to be unsound, unhealthful, unwholesome or otherwise adulterated shall be conspicuously marked on the surface tissues thereof by a program employe at the time of inspection, as "Pa. Inspected and Condemned."

(b) Condemned detached organs and other parts of the character that they cannot be so marked shall be placed immediately in trucks or receptacles which shall be kept plainly marked "Pa. Condemned," in letters not less than 2 inches high.

(c) All condemned carcasses and parts shall remain in the custody of a program employe and shall be disposed of as required in Subchapter F (relating to disposal of condemned and other inedible products) at or before the close of the day on which they are condemned.

§ 1.117. Carcasses passed for cooking.

Carcasses and parts passed for cooking shall be marked conspicuously on the surface tissues thereof by a program employe at the time of inspection as "Pa. Passed for Cooking." All the carcasses and parts shall be cooked in accordance with § 1.217 (relating to rendering products passed for cooking; lard, pork fat and tallow) and until so cooked shall remain in the custody of a program employe.

§ 1.118. Spermatic cords; pizzles; preputial diverticuli.

- (a) Spermatic cords and pizzles shall be removed from all carcasses.
- (b) Preputial diverticuli shall be removed from hog carcasses.

§ 1.119. Passing and marking of carcasses.

(a) Carcasses and parts found to be sound, healthful, wholesome and otherwise not adulterated shall be passed and marked as provided in Subchapter H (relating to marking and labeling).

(b) In all cases where carcasses showing localized lesions are passed for food or for cooking and "Pa. Retained" tags are attached to the carcasses, the affected tissues shall be removed and condemned before the tags are removed. "Pa. Retained" tags shall be removed only by a program employe.

§ 1.120. Carcasses affected with anthrax.

(a) Carcasses found before evisceration to be affected with anthrax shall not be eviscerated but shall be retained, condemned and immediately tanked or oth-

erwise disposed of as provided in Subchapter F (relating to disposal of condemned and other inedible products).

(b) All carcasses and all parts, including hides, hoofs, horns, hair, viscera and contents, blood, and fat of any livestock found to be affected with anthrax shall be condemned and immediately disposed of, except that the blood may be handled through the usual blood cooking and drying equipment.

(c) Any part of any carcass that is contaminated with anthrax-infected material through contact with soiled instruments or otherwise shall be immediately condemned and disposed of as provided in Subchapter F.

§ 1.121. Cleaning of equipment contaminated with anthrax.

(a) The scalding vat water through which hog carcasses affected with anthrax have passed shall be immediately drained into the sewer.

(b) That portion of the slaughtering department, including the bleeding area, scalding vat, gambrelling bench, floors, walls, posts, platforms, saws, cleavers, knives and hooks, as well as boots and aprons of employes, contaminated through contact with anthrax-infected material shall, except as provided in subsection (d), be cleaned immediately and disinfected with one of the following disinfectants:

(1) A 5% solution of sodium hydroxide or commercial lye containing at least 94% of sodium hydroxide. The solution shall be freshly prepared immediately before use by dissolving 2.5 pounds of sodium hydroxide or lye in 5.5 gallons of hot water and shall be applied as near scalding hot as possible to be most effective. (Because of the extremely caustic nature of sodium hydroxide solution, precautionary measures such as the wearing of rubber gloves and boots to protect the hands and feet, and goggles to protect the eyes, should be taken by those engaged in the disinfection process. It is also advisable to have an acid solution, such as vinegar, in readiness in case any of the sodium hydroxide solution should come in contact with any part of the body.)

(2) A solution of sodium hypochlorite containing approximately 0.5% (5,000 parts per million) of available chlorine. The solution shall be freshly prepared.

(3) One of the disinfectants approved specifically for this purpose, a list of which is available upon request from the Technical Services Division, Consumer and Marketing Service, United States Department of Agriculture, Washington, D.C. 20250.

(c) When a disinfectant solution has been applied to equipment which will afterwards contact product, the equipment shall be rinsed with clean water before such contact.

(d) If anthrax infection is found in the hog slaughtering department an immediate preliminary disinfection shall be made from the headdropper's station to the point where the disease is detected and the affected carcasses shall be cut down from the rail and removed from the room. Upon completion of the slaughtering of the lot of hogs of which the anthrax-infected animals were a part, slaughtering

operations shall cease, and a thorough cleanup and disinfection shall be made, as provided in subsection (b). If the slaughter of the lot has not been completed by the close of the day on which anthrax was detected, the cleanup and disinfection shall not be deferred beyond the close of that day.

Cross References

This section cited in 7 Pa. Code § 1.90 (relating to anthrax).

§ 1.122. Sanitation of personnel contaminated with anthrax.

(a) The first and indispensable precautionary step for persons who have handled anthrax material is thorough cleansing of the hands and arms with liquid soap and running hot water. It is important that this step be taken immediately after exposure, before vegetative anthrax organisms have had time to form spores. In the cleansing, a brush or other appropriate appliance shall be used to insure the removal of all contaminating material from under and about the fingernails. This process of cleansing is most effective when performed in repeated cycles of lathering and rinsing rather than in spending the same amount of time in scrubbing with a single lathering. After the hands have been cleansed thoroughly and rinsed free of soap, they may, if desired, be immersed for about one minute in a 1-1,000 solution of bichloride of mercury, followed by thorough rinsing in clean running water. Supplies of bichloride of mercury for this purpose shall be held in the custody of the officer in charge.

(b) As a precautionary measure, all persons exposed to anthrax infection should report promptly any suspicious condition (sore or carbuncle) or symptom to a physician, in order that anti-anthrax serum or other treatment may be administered as indicated.

§ 1.123. Carcasses with skin or hide on.

(a) When a carcass is to be dressed with the skin or hide left on, the skin or hide shall be thoroughly washed and cleaned before any incision is made for the purpose of removing any part thereof or evisceration, except that where calves are slaughtered by the kosher method, the heads shall be removed from the carcasses before washing of the carcasses.

(b) The skin shall be removed at the time of postmortem inspection from any calf carcass infested with the larvae of the "oxwarble" fly (*hypoderma lineata* and *hypoderma bovis*), or external parasites, or affected with other pathological skin conditions.

§ 1.124. Cleaning of hog carcasses before incising.

All hair, scurf, dirt, hoofs and claws shall be removed from hog carcasses, and the carcasses shall be thoroughly washed and cleaned before any incision is made for inspection or evisceration.

§ 1.125. Sternum; abdominal and thoracic viscera.

The sternum of each carcass shall be split and the abdominal and thoracic viscera shall be removed at the time of slaughter in order to allow proper inspection.

§ 1.126. Inflating carcasses and transferring fat prohibited.

Carcasses or parts of carcasses may not be inflated with air. Transferring the caul or other fat from a fat to a lean carcass is prohibited.

§ 1.127. Handling bruised parts.

When only a portion of a carcass is to be condemned because of slight bruises, either the bruised portion shall be removed immediately and disposed of in accordance with Subchapter F (relating to disposal of condemned and other inedible products), or the carcass shall be promptly placed in a retaining room and kept until chilled and the bruised portion shall then be removed and disposed of as provided in Subchapter F.

§ 1.128. Hyperimmune swine.

(a) Carcasses of hyperimmune swine which have been given the final bleeding at a serum plant under the supervision of an inspector may be transferred to an official establishment for dressing and postmortem inspection.

(b) The transfer of such carcasses to the official establishment shall be made as promptly as possible and their delivery to the scalding vat shall be accomplished within 1 hour from the time bleeding is completed.

(c) The identity of the carcasses of hyperimmune swine shall be maintained in such manner as to positively identify them and to indicate the time of final bleeding.

§ 1.129. Inspection and disposition of lungs; hog lungs.

(a) All cattle, calf, sheep and equine lungs intended for food purposes shall be inspected to determine whether foreign matter is present in the air passages. The main bronchi and branches shall be slit by employees of the establishment and, if ingesta or other objectionable foreign matter has entered these passages, the lungs shall be condemned.

(b) Hog lungs shall not be saved as edible product.

(c) Livestock lungs shall not be saved for use as human food.

(d) Lungs found to be affected with disease or pathology and lungs found to be adulterated with chemical or biological residue shall be condemned and identified as "U.S. Inspected and Condemned." Condemned lungs may not be saved for pet food or other nonhuman food purposes. They shall be maintained under inspectional control and disposed of in accordance with this chapter.

(e) Lungs not condemned under subsection (d) may be used in the preparation of pet food or for other nonhuman food purposes at the official establishment, provided they are handled in the manner prescribed in this chapter, or they may be distributed from the establishment in commerce, or otherwise, in accordance with the conditions prescribed in this chapter for nonhuman food purposes or they may be so distributed to pharmaceutical manufacturers for pharmaceutical use in accordance with this chapter if they are labeled as “Inedible (SPECIES) Lungs—for Pharmaceutical Use Only.” Otherwise, they shall be disposed of at the official establishment, in accordance with this chapter.

Source

The provisions of this § 1.129 amended September 17, 1971, 1 Pa.B. 1825. Immediately preceding text appears at serial page (1242).

Cross References

This section cited in 7 Pa. Code § 1.556 (relating to transportation of certain undenatured lungs or lung lobes from official establishments or in commerce).

§ 1.130. Inspection of mammary glands.

(a) Lactating mammary glands and diseased mammary glands of cattle, sheep, swine and goats shall be removed without opening the milk ducts or sinuses. If pus or other objectionable material is permitted to come in contact with the carcass, the parts of the carcass thus contaminated shall be removed and condemned.

(b) Nonlactating cow udders may be saved for food purposes if suitable facilities for handling and inspecting them are provided. Examination of udders by palpation shall be done by a program employee. When necessary in the judgment of the program employee, the official establishment employees shall incise udders in sections no greater than two inches in thickness. All udders showing disease lesions shall be condemned by a program employee. Each udder shall be properly identified with its respective carcass and kept separate and apart from other udders until its disposal has been accomplished in accordance with Subchapter D (relating to disposal of diseased and otherwise adulterated carcasses).

(c) Lactating mammary glands of cattle, sheep, swine and goats shall not be saved for edible purposes.

(d) The udders from cows officially designated as “Brucellosis reactors” or as “Mastitis elimination cows” shall be condemned.

§ 1.131. Contamination of carcass or parts.

(a) Carcasses, organs and other parts shall be handled in a sanitary manner to prevent contamination with fecal material, urine, bile, hair, dirt, or foreign matter; however, if contamination occurs, it shall be promptly removed in a manner satisfactory to the inspector.

(b) Brains, cheek meat and head trimmings from animals stunned by lead, sponge iron, or frangible bullets shall not be saved for use as human food but shall be handled as prescribed in § 1.201 or § 1.203 (relating to establishments having tanking facilities; and establishments not having tanking facilities).

§ 1.132. Inspection of kidneys.

An employe of the establishment shall open the kidney capsule and expose the kidneys of all livestock at the time of slaughter for the purpose of examination by a program employe.

**Subchapter D. DISPOSAL OF DISEASED OR OTHERWISE
ADULTERATED CARCASSES**

Sec.	
1.141.	General requirements.
1.142.	Tuberculosis.
1.143.	Hog cholera.
1.144.	Swine injected with hog cholera virus.
1.145.	Swine erysipelas.
1.146.	Diamond-skin disease.
1.147.	Arthritis.
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1.156.	Conditions which may cause food poisoning.
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1.162.	Hogs affected with other conditions.
1.163.	Tapeworm cysts in cattle.
1.164.	Tapeworm cysts in hogs.
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1.166.	Parasites not transmissible to man; gid bladder-worms; hydatid cysts; flukes; fringed tapeworms.
1.167.	Emaciation.
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1.172.	Affected livers.
1.173.	Vesicular diseases.

- 1.174. Listeriosis.
- 1.175. Anemia.
- 1.176. Muscular lesions.
- 1.177. Coccidioidal granuloma.
- 1.178. Odors, foreign and urine.
- 1.179. Products exposed to radiation.
- 1.180. Biological residues.

Cross References

This subchapter cited in 7 Pa. Code § 1.1 (relating to definitions); 7 Pa. Code § 1.83 (relating to identification of "Pa. Suspects"—general); 7 Pa. Code § 1.86 (identification of "Pa. Condemned"—general); and 7 Pa. Code § 1.130 (relating to inspection of mammary glands).

§ 1.141. General requirements.

(a) The carcasses or parts of carcasses of all animals slaughtered at an official establishment and found at the time of slaughter or at any subsequent inspection to be affected with any of the diseases or conditions named in this Subchapter shall be disposed of according to the section pertaining to the disease or condition and in compliance with the following provisions:

(1) No product shall be passed for human food unless it is found to be otherwise not adulterated. Products passed for cooking or refrigeration under this Subchapter shall be handled at the official establishment where they are initially prepared unless they are moved to another official establishment for handling or in the case of products passed for refrigeration are moved for such refrigeration to a freezing facility approved by the Department in specific cases.

(2) When moved as provided in paragraph (1) the products shall be shipped in containers sealed in accordance with § 1.333(g) (relating to treatment by refrigerating) or in a sealed means of conveyance as provided in § 1.544 (relating to products requiring special supervision). Because it is impracticable to formulate rules covering every case and to designate at just what stage a disease process or a condition results in adulteration of a product, the decision as to the disposal of all carcasses, organs, or other parts not specifically covered in this subchapter shall be left to the officer in charge. The veterinarian in charge shall exercise his judgment regarding the disposition of all carcasses or parts of carcasses in a manner which will insure that only wholesome, unadulterated product is passed for human food.

(b) In cases of doubt as to a condition, a disease or the cause of a condition, or to confirm a diagnosis, representative specimens of the affected tissues, properly prepared and packaged, shall be sent for examination to the Bureau Diagnostic Laboratory, Summerdale, Pennsylvania.

Cross References

This section cited in 7 Pa. Code § 1.83 (relating to identification of “Pa. Suspects”—general); and 7 Pa. Code § 1.241 (relating to general labeling requirement; exemptions).

§ 1.142. Tuberculosis.

Carcasses of livestock affected with tuberculosis shall be disposed of as follows:

(1) *Carcasses condemned.* The entire carcass of swine, cattle, sheep, and goats shall be condemned if any of the following conditions occur:

(i) When the lesions of tuberculosis are generalized (tuberculosis is considered to be generalized when the lesions are distributed in a manner made possible only by entry of the bacilli into the systemic circulation).

(ii) When the animal was observed to have a fever on antemortem inspection which was found to be associated with an active tuberculous lesion on postmortem inspection.

(iii) When there is an associated cachexia.

(iv) When a tuberculosis lesion is found in any lymph node as a result of draining a muscle, bone, joint, or abdominal organ other than the gastrointestinal tract.

(v) When the lesions are extensive in tissues of either the thoracic or the abdominal cavity.

(vi) When the lesions are multiple, acute and actively progressive.

(vii) When the character or extent of the lesions otherwise is not indicative of a localized condition.

(2) *Organs or other parts condemned.* An organ or other part of a swine, cattle, sheep, or goat carcass affected by localized tuberculosis shall be condemned when it contains lesions of tuberculosis or when the corresponding lymph node contains lesions of tuberculosis.

(3) *Carcasses of cattle passed without restrictions for human food.* Carcasses of cattle may be passed without restriction for human food only when the carcass of an animal not identified as a reactor to a tuberculin test administered by an Animal and Plant Health Service, State or accredited veterinarian is found free of tuberculosis lesions during postmortem inspection. Such testing is conducted in the tuberculosis eradication program of the Animal and Plant Health Service, United States Department of Agriculture.

(4) *Portions of carcasses and carcasses of cattle passed for cooking.* The following provisions shall apply to portions of carcasses and carcasses of cattle passed for cooking:

(i) When a cattle carcass reveals a tuberculosis lesion or lesions not so severe or so numerous as the lesions described in paragraph (1), the unaffected portion of the carcass may be passed for cooking in accordance with § 1.217 (relating to rendering products passed for cooking; lard, pork fat,

and tallow) if the character and extent of the lesions indicate a localized condition, the lesions are calcified or encapsulated, and the affected organ or other part is condemned.

(ii) When the carcass of a cattle identified as a reactor to a tuberculin test administered by an Animal and Plant Health Service, State or accredited veterinarian is found free of lesions or tuberculosis, the carcass may be passed for cooking in accordance with § 1.217.

(5) *Portions of carcasses and carcasses of swine passed without restriction for human food.* Swine carcasses found free of tuberculosis lesions during postmortem inspection may be passed for human food without restriction. When tuberculosis lesions in any swine carcass are localized and confined to one primary seat of infection, such as the cervical lymph nodes, the mesenteric lymph nodes, or the mediastinal lymph nodes, the unaffected portion of the carcass may be passed for human food without restriction after the affected organ or other part is condemned.

(6) *Portions of carcasses of swine passed for cooking.* When the carcass of any swine reveals lesions more severe or more numerous than those described in paragraph (5), but not so severe or so numerous as the lesions described in paragraph (1), the unaffected portions of such carcass may be passed for cooking in accordance with § 1.217 if the character and extent of the lesions indicate a localized condition, the lesions are calcified or encapsulated, and the affected organ or other part is condemned.

(7) *Carcasses of sheep and goats passed without restriction for human food.* Carcasses of sheep and goats may be passed without restriction for human food only if found free of tuberculosis lesions during postmortem inspection.

(8) *Portions of carcasses of sheep and goats passed for cooking.* If a carcass of any sheep or goat reveals a tuberculosis lesion or lesions that are not so severe or so numerous as the lesions described in paragraph (1), the unaffected portion of the carcass may be passed for cooking in accordance with § 1.217 if the character and extent of the lesions indicate a localized condition, the lesions are calcified or encapsulated, and the affected organ or other part is condemned.

Source

The provisions of this § 1.142 amended August, 25, 1972, 2 Pa.B. 1606. Immediately preceding text appears at serial pages (2858) and (2859).

Cross References

This section cited in 7 Pa. Code § 1.84 (relating to reactors to tuberculin tests).

§ 1.143. Hog cholera.

(a) The carcasses of all hogs affected with hog cholera shall be condemned.

(b) Inconclusive but suspicious symptoms of hog cholera observed during the antemortem inspection of a "Pa. Suspect" shall be duly considered in connection with postmortem findings and when the carcass of such a suspect shows lesions in the kidneys and the lymph nodes which resemble lesions of hog cholera, they shall be regarded as those of hog cholera and the carcass shall be condemned.

(c) When lesions resembling those of hog cholera occur in kidneys and lymph nodes of carcasses of hogs which appeared normal on antemortem inspection, further inspection of such carcasses shall be made for corroborative lesions. If on such further inspection, characteristic lesions of hog cholera are found in some organ or tissue in addition to those in the kidneys or in the lymph nodes or in both, then all lesions shall be regarded as those of hog cholera and the carcass shall be condemned.

§ 1.144. Swine injected with hog cholera virus.

(a) Carcasses of swine, other than hyperimmune swine, if presented for inspection after 28 days following injection with hog cholera virus shall be given postmortem inspection without reference to the injected virus.

(b) Carcasses of hyperimmune swine if presented for inspection after ten days following hyperimmunization shall be given postmortem inspection without reference to the injected virus.

§ 1.145. Swine erysipelas.

Carcasses affected with swine erysipelas which is acute or generalized or which show systemic change shall be condemned.

Cross References

This section cited in 7 Pa. Code § 1.92 (relating to swine erysipelas).

§ 1.146. Diamond-skin disease.

Carcasses of hogs affected with diamond-skin disease when localized and not associated with systemic change may be passed for human food after removal and condemnation of the affected parts of such carcasses are otherwise healthy.

§ 1.147. Arthritis.

(a) Carcasses affected with arthritis which is localized and not associated with systemic change may be passed for human food after removal and condemnation of all affected parts. Affected joints with corresponding lymph nodes shall be removed and condemned. In order to avoid contamination of the meat which is passed, a joint capsule shall not be opened until after the affected joint is removed.

(b) Carcasses affected with arthritis shall be condemned when there is evidence of systemic involvement.

§ 1.148. Anasarca or generalized edema.

(a) Carcasses of cattle found on postmortem inspection to be affected with anasarca in advanced stages and characterized by an extensive or well-marked generalized edema shall be condemned.

(b) Carcasses of cattle, including their detached organs and other parts, found on postmortem inspection to be affected with anasarca to a lesser extent than as described in subsection (a) may be passed for human food after removal and condemnation of the affected tissues, if the lesion is localized.

Cross References

This section cited in 7 Pa. Code § 1.91 (relating to anasarca).

§ 1.149. Actinomycosis and actinobacillosis.

(a) Carcasses of livestock with generalized lesions of actinomycosis or actinobacillosis (lesions which are distributed in a manner made possible only by entry of the bacilli into the systemic circulation) shall be condemned.

(b) Carcasses of livestock in a well-nourished condition showing uncomplicated localized lesions of actinomycosis or actinobacillosis may be passed for human food after the infected organs or other infected parts have been removed and condemned, except as provided in subsections (c) and (d).

(c) Heads affected with actinomycosis or actinobacillosis, including the tongue, shall be condemned, except that when the disease of the jaw is slight, strictly localized and without suppuration, fistulous tracts or lymph node involvement, the tongue, if free from disease, may be passed or, when the disease is slight and confined to the lymph nodes, the head including the tongue, may be passed for human food after the affected nodes have been removed and condemned.

(d) When the disease is slight and confined to the tongue, with or without involvement of the corresponding lymph nodes, the head may be passed for human food after removal and condemnation of the tongue and corresponding lymph nodes.

§ 1.150. Other diseases and conditions.

(a) Carcasses of livestock affected with or showing lesions of any of the following diseases or conditions shall be condemned:

- (1) Anthrax.
- (2) Blackleg.
- (3) Unhealed vaccine lesions (vaccinia).
- (4) Strangles.
- (5) Purpura hemorrhagica.
- (6) Azoturia.
- (7) Infectious equine encephalomyelitis.
- (8) Toxic encephalomyelitis (forage poisoning).

- (9) Infectious anemia (swamp fever).
- (10) Dourine.
- (11) Acute influenza.
- (12) Generalized osteoporosis.
- (13) Glanders (farcy).
- (14) Acute inflammatory lameness.
- (15) Extensive fistula.

(b) Carcasses of livestock affected with or showing lesions of any of the following diseases or conditions shall be condemned, except when recovery has occurred to the extent that only localized lesions persist, in which case the carcass may be passed for human food after removal and condemnation of the affected organs or other parts:

- (1) Anaplasmosis.
- (2) Bacillary hemoglobinuria in cattle.
- (3) Babesiosis (piroplasmosis).
- (4) Bluetongue.
- (5) Hemorrhagic septicemia.
- (6) Icterohematuria in sheep.
- (7) Infectious bovine rhinotracheitis.
- (8) Leptospirosis.
- (9) Malignant epizootic catarrh.

Cross References

This section cited in 7 Pa. Code § 1.87 (relating to livestock affected with certain metabolic, toxic, nervous or circulatory disturbances; infections or parasitic diseases; and others).

§ 1.151. Neoplasms.

(a) An individual organ or other part of a carcass affected with a neoplasm shall be condemned. If there is evidence of metastasis or that the general condition of the animal has been adversely affected by the size, position or nature of the neoplasm, the entire carcass shall be condemned.

(b) Carcasses affected with malignant lymphoma shall be condemned.

§ 1.152. Epithelioma of the eye.

(a) Carcasses of animals affected with epithelioma of the eye or the orbital region shall be condemned in their entirety if one of the following conditions exists:

- (1) The affection has involved the osseous structures of the head with extensive infection, suppuration and necrosis.
- (2) There is metastasis from the eye or the orbital region to any lymph node including the parotid lymph node, internal organs, muscles, skeleton or other structures, regardless of the extent of the primary tumor.

(3) The affection, regardless of extent, is associated with cachexia or evidence of absorption or secondary changes.

(b) Carcasses of animals affected with epithelioma of the eye or the orbital region to a lesser extent than as described in subsection (a) may be passed for human food after removal and condemnation of the head, including the tongue, if the carcass is otherwise normal.

Cross References

This section cited in 7 Pa. Code § 1.89 (relating to epithelioma of the eye).

§ 1.153. Pigmentary deposits.

(a) Except as provided in § 1.159 (relating to icterus) carcasses of livestock showing generalized pigmentary deposits shall be condemned.

(b) The affected parts of carcasses showing localized pigmentary deposits of such character as to be unwholesome or otherwise adulterated shall be removed and condemned.

§ 1.154. Abrasions, bruises, abscesses, pus.

(a) All slight, well-limited abrasions on the tongue and inner surface of the lips and mouth, when without lymph node involvement, shall be carefully excised, leaving only sound, normal tissue, which may be passed for human foods.

(b) Any organ or other part of a carcass which is badly bruised or which is affected by an abscess, or a suppurating sore shall be condemned, and when the lesions are of such character or extent as to affect the whole carcass, the whole carcass shall be condemned.

(c) Portions of carcasses which are contaminated by pus or other diseased material shall be condemned.

§ 1.155. Brucellosis.

Carcasses affected with localized lesions of brucellosis may be passed for human food after the affected parts are removed and condemned.

§ 1.156. Conditions which may cause food poisoning.

(a) All carcasses of animals so infected that consumption of the products thereof may give rise to food poisoning shall be condemned. This includes all carcasses showing signs of the following:

(1) Acute inflammation of the lungs, pleura, pericardium, peritoneum or meninges.

(2) Septicemia or pyemia, whether puerperal, traumatic or without any evident cause.

(3) Gangrenous or severe hemorrhagic enteritis or gastritis.

(4) Acute diffuse metritis or mammitis.

- (5) Phlebitis of the umbilical veins.
 - (6) Septic or purulent traumatic pericarditis.
 - (7) Any acute inflammation, abscess or suppurating sore, if associated with acute nephritis, fatty and degenerated liver, swollen soft spleen, marked pulmonary hyperemia, general swelling of lymph nodes, diffuse redness of the skin, cachexia, icteric discoloration of the carcass or similar condition, either singly or in combination.
 - (8) Salmonellosis.
- (b) Implements contaminated by contact with carcasses affected with any of the disease conditions mentioned in subsection (a) shall be thoroughly cleaned and sanitized as prescribed in Subchapter A (relating to general provisions). The equipment used in the dressing of such carcasses, such as viscera trucks or inspection tables, shall be sanitized with hot water having a minimum temperature of 180°F. Carcasses or parts of carcasses contaminated by contact with such diseased carcasses shall be condemned unless all contaminated tissues are removed within two hours.

§ 1.157. Necrobacillosis, pyemia and septicemia.

From the standpoint of meat inspection, necrobacillosis may be regarded as a local infection at the beginning, and carcasses in which the lesions are localized may be passed for human food if in a good state of nutrition, after those portions affected with necrotic lesions are removed and condemned. However, when emaciation, cloudy swelling of the parenchymatous tissue of organs or enlargement of the lymph nodes is associated with the infection, it is evident that the disease has progressed beyond the condition of localization to a state of toxemia, and the entire carcass shall therefore be condemned as both unwholesome and noxious. Pyemia or septicemia may intervene as a complication of the local necrosis, and when present the carcass shall be condemned.

§ 1.158. Caseous lymphadenitis.

- (a) A thin carcass showing well-marked lesions in the viscera and the skeletal lymph nodes, or a thin carcass showing extensive lesions in any part shall be condemned.
- (b) A thin carcass showing well-marked lesions in the viscera with only slight lesions elsewhere or showing well-marked lesions in the skeletal lymph nodes with only slight lesions elsewhere may be passed for cooking.
- (c) A thin carcass showing only slight lesions in the skeletal lymph nodes and in the viscera may be passed for human food without restriction.
- (d) A well-nourished carcass showing well-marked lesions in the viscera and with only slight lesions elsewhere or showing well-marked lesions confined to the skeletal lymph nodes with only slight lesions elsewhere may be passed for human food without restriction.

(e) A well-nourished carcass showing well-marked lesions in the viscera and the skeletal lymph nodes may be passed for cooking, but where the lesions in a well-nourished carcass are both numerous and extensive it shall be condemned.

(f) All affected organs and nodes of carcasses passed for human food without restriction or passed for cooking shall be removed and condemned.

(g) As used in this section, the term “thin” does not apply to a carcass which is anemic or emaciated and the term “lesions” refers to lesions of caseous lymphadenitis.

§ 1.159. Icterus.

(a) Carcasses showing any degree of icterus shall be condemned.

(b) Yellow fat conditions caused by nutritional factors or characteristic of certain breeds of livestock and yellow fat sometimes seen in sheep shall not be confused with icterus. The carcasses should be passed for human food, if otherwise normal.

Cross References

This section cited in 7 Pa. Code § 1.153 (relating to pigmentary deposits).

§ 1.160. Sexual odor of swine.

(a) Carcasses of swine which give off a pronounced sexual odor shall be condemned.

(b) The meat from carcasses of swine which give off a sexual odor less than pronounced may be passed only for use in cooked comminuted meat food product, or in comminuted meat food product usually eaten without heating, or for rendering. Otherwise, such meat shall be condemned.

(c) All carcasses of boars and cryptorchids other than those disposed of under subsections (a) or (b) shall be marked “Boar” at the time of slaughter. Each primal part and bone-in cut from such carcasses, if susceptible of such marking, shall be marked “Boar” prior to being removed from the slaughtering establishment. The immediate container of other bone-in cuts and boneless meat from such carcasses shall be marked “Boar Meat” in addition to complying with the applicable requirements of § 1.243(c) (relating to identity of label—general). Such marks shall be at least 3/4 of an inch high and applied in such a manner so as to be clearly legible.

Source

The Provisions of this § 1.160 amended October 22, 1971, 1 Pa.B. 2014.

Cross References

This section cited in 7 Pa. Code § 1.235 (relating to marking of certain swine carcasses and parts thereof); and 7 Pa. Code § 1.243 (relating to identity of label—general).

§ 1.161. Mange or scab.

Carcasses of livestock affected with mange or scab in advanced stages, showing cachexia or extensive inflammation of the flesh, shall be condemned. When the disease is slight, the carcass may be passed after removal of the affected portion.

§ 1.162. Hogs affected with other conditions.

Carcasses of hogs affected with urticaria (nettle rash), tinea tonsurans, demodex folliculorum, or erythema may be passed for human food after detaching and condemning the affected skin, if the carcass is otherwise not adulterated.

§ 1.163. Tapeworm cysts in cattle.

(a) Except as provided in subsection (b), carcasses of cattle affected with lesions of *cysticercus bovis* shall be disposed of as follows:

(1) Carcasses of cattle displaying lesions of *cysticercus bovis* shall be condemned if the infestation is extensive or if the musculature is edematous or discolored. Carcasses shall be considered extensively infested if in addition to finding lesions in at least two of the usual inspection sites, namely the heart, diaphragm and its pillars, muscles of mastication, esophagus, tongue, and musculature exposed during normal dressing operations, they are found in at least two of the sites exposed by an incision made into each round exposing the musculature in cross section, and a transverse incision into each forelimb commencing two or three inches above the point of the olecranon and extended to the humerus.

(2) Carcasses of cattle showing one or more tapeworm lesions of *cysticercus bovis* but not so extensive as indicated in paragraph (1) as determined by a careful examination, including examination of, but not limited to, the heart, diaphragm and its pillars, muscles of mastication, esophagus, tongue, and musculature exposed during normal dressing operations, may be passed for human food after removal and condemnation of the lesions with surrounding tissues. However, the carcasses shall be appropriately identified by retained tags and held in cold storage under positive control of a Program Inspector at a temperature not higher than 15°F continuously for a period of not less than ten days, or in the case of boned meat derived from such carcasses, the meat, when in boxes, tierces, or other containers shall be appropriately identified by retained tags, and held under positive control of a Program Inspector at a temperature of not higher than 15°F continuously for a period of not less than 20 days. As an alternative to retention in cold storage as provided in this paragraph such carcasses and meat may be heated throughout to a temperature of at least 140°F under positive control of a Program Inspector.

(b) Edible viscera and offal shall be disposed of in the same manner as the rest of the carcass from which they were derived unless any lesion of *cysticercus bovis* is found in these byproducts, in which case they shall be condemned.

Source

The provisions of this § 1.163 amended September 17, 1971, 1 Pa.B. 1825. Immediately preceding text appears at serial page (1255).

§ 1.164. Tapeworm cysts in hogs.

Carcasses of hogs affected with tapeworm cysts (*cysticercus cellulosae*) may be passed for cooking, unless the infestation is excessive in which case the carcass shall be condemned.

§ 1.165. Tapeworm cysts in sheep.

Carcasses of sheep affected with tapeworm cysts (*cysticercus ovis*, so-called sheep measles not transmissible to man) may be passed for human food after the removal and condemnation of the affected portions, if, upon the final inspection of sheep carcasses retained on account of measles, the total number of cysts found embedded in muscular tissue or in immediate relation with muscular tissue, excluding the heart, exceeds five, the entire carcass shall be condemned, or such carcass shall be heated throughout to a temperature of at least 140°F after removal and condemnation of all affected portions.

§ 1.166. Parasites not transmissible to man; gid bladder-worms; hydatid cysts; flukes; fringed tapeworms.

(a) In the disposal of carcasses, edible organs and other parts of carcasses showing evidence of infestation with parasites not transmissible to man, the following requirements shall be complied with unless otherwise provided in this section:

- (1) If the lesions are localized in such manner and are of such character that the parasites and the lesions can be completely removed, the nonaffected portion of the carcass, organ or other part of the carcass may be passed for human food after the removal and condemnation of the affected portions.
- (2) If an organ or other part of a carcass shows numerous lesions caused by parasites, or if the character of the infestation is such that complete extirpation of the parasitic infestation or invasion renders the part in any way unfit for human food, the affected part shall be condemned.
- (3) If parasites are found to be distributed in a carcass in such a manner or to be of such character that their removal and the removal of the lesions caused by them is impracticable; no part of the carcass shall be passed for human food. If the infestation is excessive, the carcass shall be condemned. If the infestation is moderate, the carcass may be passed for cooking, but if such carcass is

not cooked as required in § 1.217 (relating to rendering products passed for cooking; lard, pork fat and tallow), it shall be condemned.

(b) Carcasses found infested with gid bladder-worms (*coenurus cerebralis*, *multiceps multiceps*) may be passed for human food after condemnation of the affected organ (brain or spinal cord).

(c) Organs or other parts of carcasses infested with hydatid cysts (*echinococcus*) shall be condemned.

(d) Livers infested with flukes or fringed tapeworms shall be condemned.

§ 1.167. Emaciation.

(a) Carcasses of livestock too emaciated to produce wholesome meat, and carcasses which show a serious infiltration of muscle tissues or a serous or mucoid degeneration of the fatty tissue shall be condemned.

(b) A gelatinous change of the fat of the heart and kidneys of well-nourished carcasses and mere leanness shall not be classed as emaciation.

§ 1.168. Injured animals slaughtered at unusual hours.

When it is necessary for humane reasons to slaughter an injured animal at night or on Sunday or a holiday when the inspector cannot be obtained, the carcass and all parts shall be kept for inspection, with the head and all viscera except the stomach, bladder and intestines held by the natural attachments. If all parts are not so kept for inspection, the carcass shall be condemned. If, on inspection of a carcass slaughtered in the absence of an inspector, any lesion or other evidence is found indicating that the animal was sick or diseased, or affected with any other condition requiring condemnation of the animal on antemortem inspection, or if there is lacking evidence of the condition which rendered emergency slaughter necessary the carcass shall be condemned.

§ 1.169. Carcasses of young animals.

Carcasses of young calves, pigs, kids and lambs are unwholesome and shall be condemned if:

(1) the meat has the appearance of being watersoaked, is loose, flabby, tears easily, and can be perforated with the fingers;

(2) its color is grayish-red;

(3) good muscular development as a whole is lacking, especially noticeable on the upper shank of the leg where small amounts of serous infiltrates or small edematous patches are sometimes present between the muscles; or

(4) the tissue which later develops as the fat capsule of the kidneys is edematous, dirty yellow, or grayish-red, tough and intermixed with islands of fat.

§ 1.170. Unborn and stillborn animals.

All unborn and stillborn animals shall be condemned and no hide or skin thereof shall be removed from the carcass within a room in which edible products are handled.

§ 1.171. Livestock suffocated or hogs scalded alive.

All livestock which have been suffocated in any way and hogs which have entered the scalding vat alive shall be condemned.

§ 1.172. Affected livers.

- (a) Livers affected with carotenosis shall be condemned.
- (b) Cattle livers and calf livers showing the conditions sometimes designated as "telangiectatic," "sawdust" or "spotted" shall be disposed of as follows:
 - (1) When any or all of the conditions are slight in the organ the whole organ shall be passed for human food without restriction.
 - (2) When any or all of the conditions are more severe than slight and involve less than one half of the organ, while in the remainder of the organ the conditions are slight or nonexistent, the remainder shall be passed for human food without restriction and the other portion shall be condemned.
 - (3) When any or all of the conditions are more severe than slight and involve one-half or more of the organ, the whole organ shall be condemned.
- (c) The divisions of an organ into two parts for disposition as contemplated in subsection (b) of this section shall be accomplished by one cut through the organ. This shall not prohibit incisions which are necessary for inspection.
- (d) "Telangiectatic," "sawdust" or "spotted" livers and parts of livers which are condemned for human food may be shipped from an official establishment for purposes other than human food in accordance with § 1.210 (relating to shipping of condemned livers; conditions for disposal).

§ 1.173. Vesicular diseases.

- (a) Any carcass affected with vesicular disease shall be condemned if the condition is acute and if the extent of the condition is such that it affects the entire carcass or there is evidence of absorption or secondary change.
- (b) Any carcass affected with vesicular disease to a lesser extent than as described in subsection (a) may be passed for human food after removal and condemnation of the affected parts, if the carcass is otherwise healthy.

Cross References

This section cited in 7 Pa. Code § 1.98 (relating to vesicular diseases).

§ 1.174. Listeriosis.

Carcasses of livestock identified as “Pa. Suspects” because of a history of listeriosis shall be passed for human food after condemnation of the head if the carcass is otherwise normal.

§ 1.175. Anemia.

Carcasses of livestock too anemic to produce wholesome meat shall be condemned.

§ 1.176. Muscular lesions.

(a) If muscular lesions are found to be distributed in such a manner or to be of such character that removal is impractical the carcass shall be condemned.

(b) If muscular lesions are found to be distributed in such a manner or to be of such character that removal is practical, the following provisions shall govern the disposal of the carcasses, edible organs and other parts of carcasses showing such lesions:

(1) If the lesions are localized in such a manner and are of such a character that the affected tissues can be removed, the nonaffected parts of the carcass may be passed for human food after the removal and condemnation of the affected portion.

(2) If a part of the carcass shows numerous lesions or if the character of the lesion is such that complete extirpation is difficult and uncertainly accomplished or if the lesion renders the part in any way unfit for human food the part shall be condemned.

(c) If the lesions are slight or of such character as to be insignificant from a standpoint of wholesomeness, the carcass or parts may be passed for use in the manufacture of comminuted cooked product, after removal and condemnation of the visibly affected portions.

§ 1.177. Coccidioid granuloma.

(a) Carcasses which are affected with generalized coccidioid granuloma or which show systemic changes because of such diseases shall be condemned.

(b) Carcasses affected with localized lesions of this disease may be passed for human food after the affected parts are removed and condemned.

§ 1.178. Odors, foreign and urine.

(a) Carcasses which give off a pronounced odor of medicinal, chemical or other foreign substance shall be condemned.

(b) Carcasses which give off a pronounced urine odor shall be condemned.

(c) Carcasses, organs, or parts affected by odor to a lesser degree than as described in subsections (a) and (b) and in which the odor can be removed by

trimming or chilling may be passed for human food, after removal of affected parts or dissipation of the condition.

§ 1.179. Products exposed to radiation.

Meat and meat byproducts from livestock which have been administered radioactive material shall be condemned unless the use of the radiation was in conformity with a regulation or exemption in effect pursuant to the Federal Act (21 U.S.C.A. § 348).

§ 1.180. Biological residues.

Carcasses, organs or other parts of carcasses of livestock shall be condemned if it is determined that they are adulterated because of the presence of any biological residues.

Subchapter E. OFFICIAL MARKS, DEVICES AND CERTIFICATES

Sec.

- 1.191. General.
- 1.192. Official inspection legend.
- 1.193. Marks for antemortem inspections.
- 1.194. Seals for transportation of products.
- 1.195. Marks for postmortem inspections; inspections of unacceptable equipment and facilities.

Cross References

This subchapter cited in 7 Pa. Code § 1.1 (relating to definitions); and 7 Pa. Code § 1.223 (relating to supply and storage of marking devices).

§ 1.191. General.

The marks, devices, and certificates prescribed or referenced in this subchapter shall be official marks, devices, and certificates for purpose of the act, and shall be used in accordance with the provisions of this subchapter.

§ 1.192. Official inspection legend.

- (a) The official inspection legend shall conform to the following:
 - (1) The official inspection legend, required by Subchapter H (relating to marking and labeling) to be applied to inspected and passed carcasses and parts of carcasses of cattle, sheep, swine and goats, meat food products in animal casings, and other products as approved by the Department shall be the following:
 - (2) The number “888” is given as an example only. The establishment number of the official establishment where the product is prepared shall be used in lieu thereof.



(b) The official inspection legend, required by Subchapter H (relating to marking and labeling) to be shown on all labels for inspected and passed products of cattle, sheep, swine, and goats shall be that shown in subsection (a) except that it need not be of the size illustrated if it is a sufficient size and of such color as to be conspicuously displayed and readily legible and the same proportions of letter size and boldness are maintained as illustrated.

(c) The official inspection legend shall be applied by mechanical means and shall not be applied by a hand stamp.

(d) The legend may also be used for purposes specified in Subchapter H on shipping containers, band labels, artificial casings, and other articles with the approval of the Department.

(e) Any brand, stamp, label, or other device approved by the Department and bearing any official mark prescribed in this section shall be an official device for purposes of the act.

Source

The provisions of this § 1.192 amended February 11, 1972, 2 Pa.B. 211. Immediately preceding text appears at serial page (2864).

§ 1.193. Marks for antemortem inspections.

The official marks and devices used in connection with antemortem inspection shall be those prescribed in § 1.104 (relating to official marks and devices).

§ 1.194. Seals for transportation of products.

The official mark for use in sealing railroad cars or other means of conveyance shall be in the form shown in § 1.195(a)(1) (relating to marks for postmortem inspections; inspection of unacceptable equipment and facilities) and any seal approved by the Department for applying such mark shall be an official device for purposes of the act.

§ 1.195. Marks for postmortem inspections; inspection of unacceptable equipment and facilities.

(a) The official marks required for use in postmortem inspection and identification of adulterated products and insanitary equipment and facilities are the following:

(1) The following tag (Form AAI-270) which is used to retain carcasses and parts of carcasses in the slaughter department, bears the legend "Pa. Retained":



(2) The "Pa. Retained" mark which is applied to products and articles as prescribed in this chapter and used to identify insanitary buildings, rooms or equipment is applied by means of the following paper tag (Form AAI-270) bearing the legend "Pa. Retained":



(3) The "Pa. Inspected and Condemned" mark shall be applied to products condemned as prescribed in Subchapter C (relating to postmortem inspections) by means of a brand and is in the following form:

PENNA. D of A
INSPECTED AND
CONDEMNED

(4) The "Pa. Rejected" tag is used to identify insanitary buildings, rooms, or equipment as prescribed by §§ 1.51—1.67 or other conditions that would

make them unacceptable for use and is applied by means of a paper tag (Form AAI-132) bearing the legend "Pa. Rejected."



NOTICE: The Article to which this Tag is attached shall be made Acceptable before it is again used. This Tag shall be detached only by an employee of the PENNSYLVANIA DEPARTMENT OF AGRICULTURE

Two vertical lines, one solid and one dashed, with the word "Date" written vertically next to each. A vertical dashed line labeled "Serial Number" runs between them.

(b) The "Pa. Retained," and all other brands, stamps, labels and other devices approved by the Department and bearing any official mark prescribed in subsection (a) shall be official devices for purposes of the act.

Source

The provisions of this § 1.195 amended December 17, 1971, 1 Pa.B. 1825. Immediately preceding text appears at serial page (1263) to (1265).

Cross References

This section cited in 7 Pa. Code § 1.194 (relating to seals for transportation of products).

Subchapter F. DISPOSAL OF CONDEMNED AND OTHER INEDIBLE PRODUCTS

- Sec.
- 1.201. Establishments having tanking facilities.
- 1.202. Separation of facilities for inedible and edible products.
- 1.203. Establishments not having tanking facilities.
- 1.204. Suppression of odors in preparing inedible products.
- 1.205. Inedible rendered fats prepared at official establishments.
- 1.206. Inedible fats from outside official establishments.
- 1.207. Carcasses condemned on antemortem.
- 1.208. Dead animal carcasses.
- 1.209. Specimens for education, research or other purposes.
- 1.210. Shipping of condemned livers; conditions for disposal.
- 1.211. Handling of other condemned products.

Cross References

This subchapter cited in 7 Pa. Code § 1.42 (relating to other facilities to be provided by the establishment); 7 Pa. Code § 1.96 (relating to disposition of condemned livestock); 7 Pa. Code § 1.102 (relating to disposal of adulterated meat); 7 Pa. Code § 1.116 (relating to disposition of condemned carcasses); 7 Pa. Code § 1.120 (relating to carcasses affected with anthrax); 7 Pa. Code § 1.127 (relating to handling bruised parts); 7 Pa. Code § 1.233 (relating to marking outside containers of inedible grease and the like); 7 Pa. Code § 1.313 (relating to disposition after reinspection); and 7 Pa. Code § 1.549 (relating to denaturing procedures).

§ 1.201. Establishments having tanking facilities.

(a) Carcasses, parts of carcasses and other products condemned at official establishments having facilities for tanking shall, except as provided in subsection (c) or elsewhere in this subchapter, be disposed of by tanking as follows:

(1) The lower opening of the tank shall first be sealed securely by a program employe, except when permanently connected with a blow line. Then the condemned products shall be placed in the tank in his presence, after which the upper opening shall also be sealed securely by such employe, who shall then see that the contents of the tank are subjected to sufficient heating for sufficient time to effectively destroy the contents for human food purposes.

(2) The use of equipment such as crushers or hashers for pretanking preparation of condemned products in the inedible products department has been found to give inedible character and appearance to the material. Accordingly, if condemned products are so crushed or hashed, conveying systems, rendering tanks and other equipment used in the further handling of crushed or hashed material need not be locked or sealed during the tanking operations. If the rendering tanks or other equipment contain condemned material not so crushed or hashed the equipment shall be sealed as prescribed in paragraph (1). If the crushed or hashed material is not rendered in the establishment where produced, it shall be denatured before leaving such establishment as provided in § 1.203 (relating to establishments not having tanking facilities).

(b) The seals of tanks shall be broken only by a program employe and only after the contents of the tanks have been treated as provided in subsection (a). The rendered fat derived from condemned material shall be held until a program employe has had an opportunity to determine whether it conforms with the requirements of this section. Samples shall be taken by program employes as often as is necessary to determine whether the rendered fat is effectually denatured.

(c) Carcasses of animals condemned under § 1.86 (relating to identification of "Pa. Condemned"—general) may be disposed of as provided in § 1.203 in lieu of tanking and with the approval of the inspector.

Cross References

This section cited in 7 Pa. Code § 1.131 (relating to contamination of carcass or parts); 7 Pa. Code § 1.217 (relating to rendering products passed for cooking; lard, pork fat and tallow); and 7 Pa. Code § 1.556 (relating to transportation of certain undenatured lungs or lung lobes from official establishments or in commerce).

§ 1.202. Separation of facilities for inedible and edible products.

(a) All tanks and equipment used for rendering, otherwise preparing, or storing inedible products shall be in rooms or compartments separate from those used for preparing or storing edible products.

(b) There shall be no connection between rooms or compartments containing inedible products and those containing edible products, except that there may be one connecting doorway between the slaughtering or viscera separating department and the tank charging room of the inedible products rendering department.

(c) Pipes and chutes installed in accordance with Subchapter A (relating to general provisions) or as may be approved by the Department in specific cases, may be used to convey inedible and condemned material from edible product departments to inedible product departments.

§ 1.203. Establishments not having tanking facilities.

(a) Carcasses, parts of carcasses, and other products condemned at an official establishment which has no facilities for tanking shall, except as provided in subsection (b) or elsewhere in this subchapter, be destroyed in the presence of an inspector by incineration, or denatured with crude carbolic acid, or cresylic disinfectant, or a formula consisting of one part FD&C No. 3 green coloring, 40 parts water, 40 parts liquid detergent, and 40 parts oil of citronella or any other proprietary material approved by the Department in specific cases. When such product is to be denatured, it shall be freely slashed before the denaturing agent is applied, except that in the case of dead animals that have not been dressed the denaturant may be applied by injection. The denaturant shall be deposited in all portions of the carcass or product to the extent necessary to preclude its use for food purposes.

(b) All carcasses and parts condemned on account of anthrax at official establishments which are not equipped with tanking facilities shall be disposed of by complete incineration or by thorough denaturing with crude carbolic acid or cresylic disinfectant, and then disposed of in accordance with the requirements of the particular Commonwealth or municipal authorities, who shall be notified immediately by the veterinary supervisor.

Cross References

This section cited in 7 Pa. Code § 1.131 (relating to contamination of carcass or parts); 7 Pa. Code § 1.201 (relating to establishments having tanking facilities); 7 Pa. Code § 1.217 (relating to rendering products passed for cooking; lard, pork fat and tallow); and 7 Pa. Code § 1.556 (relating to transportation of certain undenatured lungs or lung lobes from official establishments or in commerce).

§ 1.204. Suppression of odors in preparing inedible products.

Tanks, fertilizer driers and other equipment used in the preparation of inedible product shall be properly equipped with condensers and other appliances which will acceptably suppress odors incident to such preparation.

§ 1.205. Inedible rendered fats prepared at official establishments.

(a) Except as provided in § 1.547 (relating to inedible rendered animal fats), rendered animal fat derived from condemned or other inedible materials at official establishments shall be denatured to effectually distinguish it from an edible product, either with low grade offal during the rendering or by adding to and mixing thoroughly with such fat, denaturing oil, No. 2 fuel oil, or brucine dissolved in a mixture of alcohol and pine oil or oil of rosemary.

(b) The denatured fats may be shipped in commerce in accordance with § 1.547(b).

Cross References

This section cited in 7 Pa. Code § 1.206 (relating to inedible fats from outside official establishments).

§ 1.206. Inedible fats from outside official establishments.

(a) Except as provided in § 1.547 (relating to inedible rendered animal fats), inedible fats from outside the premises of any official establishment shall not be received into an official establishment except into the tank room provided for inedible products, and then only when they have been denatured in accordance with § 1.205 (relating to inedible fats prepared at official establishments) and are marked in accordance with § 1.233 (relating to marking outside containers of inedible grease and the like), and when their receipt into the tank room produces no insanitary condition on the premises.

(b) Such fats shall not be received in such volume as to interfere with prompt disposal of condemned or other inedible material produced at the establishment.

(c) When received, such fats shall not enter any room or compartment used for edible products.

§ 1.207. Carcasses condemned on antemortem.

Carcasses of livestock which have been condemned on antemortem inspection shall not be taken through rooms or compartments in which an edible product is prepared, handled or stored.

§ 1.208. Dead animal carcasses.

(a) With the exception of dead livestock which have died en route and are received with livestock for slaughter at an official establishment, no dead animal or part of the carcass of any livestock that died otherwise than by slaughter may

be brought on the premises of an official establishment unless advance permission therefor is obtained from the veterinary supervisor.

(b) The carcass of any animal which has died otherwise than by slaughter, or any part thereof shall not be brought into any room or compartment in which any edible product is prepared, handled or stored.

§ 1.209. Specimens for education, research or other purposes.

(a) Specimens of condemned or other inedible materials, including embryos and specimens of animal parasites, may be released for educational, research, or other nonfood purposes under permit issued by the veterinary supervisor if the person desiring such specimens makes a written application to the veterinary supervisor for such permit by means of a letter and arranges with and receives permission from the official establishment to obtain the specimens.

(b) Permits shall be issued for a period not longer than one year and may be revoked by the veterinary supervisor if the specimens are not used as stated in the application, or if the collection or handling of the specimens interferes with inspection or the maintenance of sanitary conditions in the establishment.

(c) The specimens shall be collected and handled only at such time and place and in such manner as not to interfere with the inspection or to cause any objectionable condition and shall be identified as inedible when they leave the establishment.

Cross References

This section cited in 7 Pa. Code § 1.553 (relating to materials exempted from this subchapter).

§ 1.210. Shipping of condemned livers; conditions for disposal.

(a) Livers condemned on account of fluke investation, hydatids, fringed tapeworms or other parasites may be shipped from an official establishment only for purposes other than human food and only if they are freely slashed, identified and handled in the following manner:

- (1) Livers with fluke investation shall be frozen or thoroughly cooked.
- (2) Livers with hydatids or fringed tapeworms shall be thoroughly cooked.
- (3) Livers with other parasites need not be cooked or refrigerated.

(b) It is essential that the livers be sufficiently identified through discoloration by the dye or charcoal to preclude their use as human food. This shall be accomplished by one of the following methods:

- (1) Dipping the slashed livers in a hot solution composed of one part FD&C No. 3 or methyl violet to 5,000 parts of water, followed by washing in fresh water until the washings are no longer colored.
- (2) The application of charcoal in accordance with § 1.549 (relating to denaturing procedures).

(c) Where it is required by this section that condemned livers be frozen, the following provisions shall apply:

(1) Freezing shall be preceded by chilling the livers to a temperature not above 40°F.

(2) Livers packed in containers not more than 7 inches thick shall then be held for a period of not less than 10 days at a temperature not higher than 15°F or for a period of not less than 5 days at a temperature not higher than 10°F.

(3) Livers packed in containers over seven inches but less than 27 inches thick shall be held not less than 20 days at a temperature not higher than 15°F, or for not less than 10 days at a temperature not higher than 10°F.

(4) Freezing may be accomplished in the regular freezer in a properly separated compartment or receptacle held under program lock.

(d) Livers condemned for telangiectasis, angioma, “sawdust” condition, cirrhosis, or other nonmalignant change, benign abscesses or contamination, when these conditions are not associated with infectious diseases in the carcasses, may be shipped from an official establishment without refrigeration or cooking but only for purposes other than human food, and only if all tissue affected with abscesses is removed and destroyed within the establishment, and all the livers are slashed and identified as provided in subsection (b) or with any proprietary substance approved by the Department in specific cases.

(e) Livers identified as specified in this section shall be placed in containers plainly marked “inedible,” and when shipped in commerce shall be certified as required in § 1.546 (relating to inedible articles—general).

Cross References

This section cited in 7 Pa. Code § 1.172 (relating to affected livers); and 7 Pa. Code § 1.231 (relating to marking of outside containers—general).

§ 1.211. Handling of other condemned products.

(a) Condemned carcasses of animals affected with one or more of the following conditions may be shipped from an official establishment only for purposes other than human food and only if permission therefor is obtained from the veterinary supervisor:

- (1) Anasarca.
- (2) Ocular Squamous Cell Carcinoma (after removal of neoplastic tissue).
- (3) Emaciation.
- (4) Eosinophilic myositis.
- (5) Immaturity.
- (6) Nonseptic bruises and injuries.
- (7) Sarcosporidiosis.

(b) This provision also applies to unborn calves and to products such as paunches and udders when they have not been handled as required under this Chapter for products for human food purposes, if such articles have not been condemned for other pathological reasons.

(c) Such permission shall be granted only if all parts to be so used will be promptly handled, freely slashed and adequately identified as required in § 1.549(c) (relating to denaturing procedures). The slashing, identification and packing of the product shall be accomplished in an inedible product area under the supervision of an inspector. Facilities shall be adequate so that the carcasses or parts saved are not contaminated with pus, manure, septic or toxic materials, or similar substances. The operation shall not result in insanitary conditions within the establishment.

Source

The provisions of this § 1.211 amended September 17, 1971, 1 Pa.B. 1825. Immediately preceding text appears at serial page (1270).

Cross References

This section cited in 7 Pa. Code § 1.340 (relating to animal food and similar articles).

Subchapter G. CARCASSES AND PARTS PASSED FOR COOKING

Sec.

1.217. Rendering products passed for cooking; lard, pork fat and tallow.

§ 1.217. Rendering products passed for cooking; lard, pork fat and tallow.

(a) Carcasses and parts passed for cooking may be rendered into lard or rendered pork fat in accordance with § 1.482 or § 1.483(b) (relating to lard and leaf lard; and rendered animal fat or mixture thereof) or rendered into tallow if such rendering is done in the following manner:

(1) When closed rendering equipment is used the lower opening, except when permanently connected with a blow line, shall first be sealed securely by a program employe, then the carcasses or parts shall be placed in such equipment in his presence, and the upper opening shall be securely sealed by such employe. When the product passed for cooking in the tank does not consist of a carcass or whole primal part, the requirements for sealing shall be at the discretion of the officer in charge. The carcasses and parts shall be cooked for a time sufficient to render them effectually into lard, rendered pork fat, or tallow, if all parts of the products are heated to a temperature not lower than 170°F for a period of not less than 30 minutes.

(2) At establishments not equipped with closed rendering equipment for rendering carcasses and parts passed for cooking into lard, rendered pork fat and tallow, such carcasses or parts may be rendered in open kettles under the direct supervision of a program employe. The rendering shall be done during regular hours of work and in compliance with the requirements as to temperature and time specified in paragraph (1).

(b) Carcasses and parts passed for cooking may be used for the preparation of meat food products, provided all such carcasses or parts are heated to a temperature not lower than 170°F for a period of not less than 30 minutes either before being used in, or during the preparation of, the finished product.

(c) If not processed in accordance with subsections (a) and (b), products passed for cooking shall be disposed of in accordance with § 1.201 or § 1.203 (relating to establishments having tanking facilities; and establishments not having tanking facilities).

Source

The provisions of this § 1.217 amended August 25, 1972, 2 Pa.B. 1606. Immediately preceding material appears at serial pages (3853) and (2869).

Cross References

This section cited in 7 Pa. Code § 1.1 (relating to definitions); 7 Pa. Code § 1.117 (relating to carcasses passed for cooking); 7 Pa. Code § 1.142 (relating to tuberculosis); and 7 Pa. Code § 1.166 (relating to parasites not transmissible to man; gid bladder-worms; hydatid cysts; flukes; fringed tape-worms).

Subchapter H. MARKING AND LABELING

MARKING PRODUCTS AND CONTAINERS

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- 1.272. Reuse of official inspection marks.
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- 1.274. Relabeling products.
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- 1.276. Reporting obsolete labels.
- 1.277. Labeling custom prepared products.

Cross References

This subchapter cited in 7 Pa. Code § 1.1 (relating to definitions); 7 Pa. Code § 1.2 (relating to application of inspection requirements); 7 Pa. Code § 1.119 (relating to passing and marking of carcasses); 7 Pa. Code § 1.192 (relating to official inspection legend); 7 Pa. Code § 1.328 (relating to approved substances); and 7 Pa. Code § 1.361 (relating to labeling and preparation).

MARKING PRODUCTS AND CONTAINERS

§ 1.221. Authorization required.

(a) No device containing any official mark shall be made or caused to be made for use on any product until it has been approved by the Department as provided in this subchapter.

(b) No brand manufacturer, printer or other person shall cast, print, lithograph or otherwise make or cause to be made any device containing any official mark

or simulation thereof without prior written authority therefor from the Department as provided in this subchapter.

Cross References

This section cited in 7 Pa. Code § 1.241 (relating to general labeling requirement; exemptions).

§ 1.222. Supervision by program employe in use of official marks.

(a) No person shall affix or place, or cause to be affixed or placed, the official inspection legend or any other official mark, or any abbreviation or simulation of any official mark, to or on any product, or container thereof, except under the supervision of a program employe or as provided in this subchapter.

(b) No person shall fill or cause to be filled, in whole or in part, with any product, any container bearing or intended to bear any official mark, or any abbreviation or simulation of any official mark, except under the supervision of a program employe.

(c) Product bearing any official mark shall not be canned, cooked, cured, smoked, salted, packed, rendered, or otherwise prepared by any person for commercial purposes unless:

- (1) such preparation is performed at an official establishment;
- (2) such preparation is conducted under Commonwealth or other governmental inspection and the prepared product is marked to show that fact;
- (3) the official marks are removed, defaced or otherwise destroyed before or during such preparation; or
- (4) the preparation of the product consists solely of cutting up operations at any establishment exempted from inspection.

Cross References

This section cited in 7 Pa. Code § 1.241 (relating to general labeling requirement; exemptions).

§ 1.223. Supply and storage of marking devices.

(a) The Department shall furnish the initial supply of ink brands and any other device for marking products with official marks as the Department may determine is necessary for marking products at such establishment. The official inspection legend on such a device shall be as prescribed in Subchapter E (relating to official marks, devices and certificates). Additional or replacement brands or other marking devices shall be furnished by the establishment.

(b) All official devices for marking products with the official inspection legend or other official marks, including self-locking seals, shall be used only under supervision of a program employe and when not in use for marking shall be kept locked in properly equipped lockers or compartments, the keys of which shall not leave the possession of a program employe. The locker or compartment, shall be sealed with an official seal of the Department as prescribed in Subchapter E.

Cross References

This section cited in 7 Pa. Code § 1.241 (relating to general labeling requirement; exemptions).

§ 1.224. Branding ink.

(a) The operator of each official establishment shall furnish all ink for marking products with the official marks at the establishment. The ink shall be made with harmless ingredients that are approved for the purpose by the Department. Samples of inks shall be submitted to the program laboratory from time to time as may be deemed necessary by the veterinary supervisor.

(b) Only purple ink approved for the purpose shall be used to apply ink brands bearing official marks to carcasses of cattle, sheep, swine, or goats and fresh meat cuts derived therefrom.

(c) Except as provided in subsection (b), branding ink of any color approved for the purpose by the Department in specific cases, may be used to apply ink brands bearing official marks to processed meat cuts derived from cattle, sheep, swine or goats.

(d) Ink used shall assure legibility and permanence of the markings and the color of ink shall provide acceptable contrast with the color of the product to which it is applied.

Cross References

This section cited in 7 Pa. Code § 1.234 (relating to custom prepared products).

§ 1.225. Removal of products not marked.

No person shall remove or cause to be removed from an official establishment any products which this subchapter requires to be marked in any way, unless they are clearly and legibly marked in compliance with this subchapter.

§ 1.226. False or misleading devices prohibited.

No brand or other marking device shall be false or misleading. The letters and figures thereon shall be of such style and type as will make a clear and legible impression. All markings to be applied to products in an official establishment shall be approved prior to use by the Secretary.

§ 1.227. Transportation of unmarked products.

(a) Unmarked products which have been inspected and passed but do not bear the official inspection legend may be transported in compliance with Subchapter L (relating to transportation) from one official establishment to another official establishment for further processing in a railroad car, truck or other closed container, if the railroad car, truck or container is sealed with an official seal of the Department.

(b) Products which have been inspected and passed but do not bear the official inspection legend may be removed from an official establishment in closed

containers bearing the official inspection legend and all other information required by this subchapter if the following requirements are met:

- (1) Upon removal from such closed container the product shall not be further transported in commerce unless such removal is made under the supervision of a program employe and the product is reinspected by the program employe and packed under his supervision in containers bearing the official inspection legend and all other information required by this subchapter.
- (2) The unmarked product shall not be brought into an official establishment in an open container.

§ 1.228. Marking of carcasses and parts thereof.

(a) Each carcass which has been inspected and passed in an official establishment shall be marked at the time of inspection with the official inspection legend containing the number of the official establishment.

(b) Except as provided otherwise in this chapter, each primal part of a carcass, the beef cod fat and beef kidney fat, and each liver, beef tongue, and beef heart which has been inspected and passed shall be marked with the official inspection legend before it leaves the establishment in which it is first inspected and passed, and each other inspected and passed product shall be marked with the official inspection legend where it was last prepared except that products need not be so marked if packed in properly labeled immediate containers. Additional official marks of inspection may be applied to products as desired to meet local conditions.

(c) Primal parts are the wholesale cuts of carcasses as customarily distributed to retailers. The round, flank, loin, rib, plate, brisket, chuck and shank are primal parts of beef carcasses. Veal, mutton, and goat primal parts are the leg, flank, loin, rack, breast, and shoulder. The ham, belly, loin, shoulder and jowl are pork primal parts.

(d) Beef livers shall be marked on the convex surface of the thickest portion of the organ with the official inspection legend containing the number of the official establishment at which the cattle involved were slaughtered.

§ 1.229. Marking of sausages and similar products.

(a) Inspected and passed sausages and other products in casings or in link form of the ordinary "ring" variety or larger shall be marked with the official inspection legend and list of ingredients. The official marks shall be branded near each end of the product when it is of a size larger than that customarily sold at retail intact.

(b) Inspected and passed sausages and other products in casings or in link form of the smaller varieties shall bear one or more official inspection legends and one or more lists of ingredients on each two pounds of product, except where such products leave the official establishment completely enclosed in properly labeled immediate containers having a capacity of 10 pounds or less and contain-

ing a single kind of product. Such products in properly labeled closed containers with more than 10-pound capacities, when shipped to another official establishment for further processing or to a governmental agency, need only have the official inspection legend and list of ingredients shown twice throughout the contents of the container. When such products are shipped to another official establishment for further processing the veterinary supervisor at the point of origin shall identify the shipment to the veterinary supervisor at destination.

(c) The list of ingredients may be applied by stamping, printing, using paper bands, tags or tissue strips, or other means approved by the Department.

Cross References

This section cited in 7 Pa. Code § 1.241 (relating to general labeling requirement; exemptions); and 7 Pa. Code § 1.442 (relating to chile con carne with beans).

§ 1.230. Special markings for certain meat food products.

(a) Meat food products prepared in casing or link form (whether or not thereafter subdivided), other than sausage, which possess the characteristics of or resemble sausage, shall bear on each link or piece the word “imitation” prominently displayed except that the following need not be so marked:

(1) If they bear on each link or piece the name of the product in accordance with § 1.243 (relating to identity of label—general) such products as coppa, capocollo, lachschinken, bacon, pork loins, pork shoulder butts, and similar cuts of meat which are prepared without added substance other than curing materials or condiments; meat rolls, bockwurst, and similar products which do not contain cereal or vegetables; headcheese, souse, sulze, scrapple, blood pudding, and liver pudding; and other products such as loaves, chili con carne, and meat and cheese products when prepared with sufficient cheese to give definite characteristics to the finished products.

(2) Imitation sausage packed in properly labeled containers having a capacity of three pounds or less and of a kind usually sold at retail intact if no other marking or labeling is applied directly to the product.

(b) When cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, isolated soy protein, dried milk, nonfat dry milk or calcium reduced dried skim milk is added to sausage in casing or in link form within limits prescribed in this chapter the products shall be marked with the name of each added ingredient, as for example “cereal added,” “potato flour added,” “cereal and potato flour added,” “soy flour added,” “isolated soy protein added,” “nonfat dry milk added,” “calcium reduced dried skim milk added,” or “cereal and nonfat dry milk added.”

(c) —

(1) When product is placed in a casing to which artificial coloring is thereafter applied as permitted in this chapter, the product shall be legibly and conspicuously marked by stamping or printing on the casing the words “artificially colored.”

(2) If a casing is removed from product at an official establishment and there is evidence of artificial coloring on the surface of the product, the product from which the casing has been removed shall be marked by stamping directly thereon the words “artificially colored.”

(3) The casing containing product need not be marked to show that it is colored if it is colored prior to its use as a covering for the product, and the coloring is of a kind and so applied as not to be transferable to the product and not to be misleading or deceptive in any respect.

(d) When an approved artificial smoke flavoring or an approved smoke flavoring is added to the formula of any meat food product as permitted in this Chapter the product shall be legibly and conspicuously marked with the words “Artificial Smoke Flavoring Added” or “Smoke Flavoring Added” whichever may be applicable.

(e) Subject to the provisions in subsection (a), in the case of sausage of the smaller varieties, markings may be limited to links bearing the official inspection legend and such markings shall not be required if the sausages are packed in properly labeled containers having a capacity of three pounds or less and of a kind usually sold at retail intact. Markings required by this section except those required by subsection (a) may be omitted from the casings of sausage and other meat food products when these products are to be processed in sealed metal containers properly labeled in accordance with this Subchapter.

(f) When an approved antioxidant is added to any meat food product the products shall be legibly and conspicuously marked in an approved manner identifying the specific antioxidant used by its common name or approved abbreviation and the purpose for which it is added, such as, “BHA, BHT, and Propyl galate added to help protect flavor.”

(g) Sausage of the dry varieties treated with potassium sorbate or propylparaben (propyl p-hydroxybenzoate) as permitted in this chapter shall be marked as prescribed in § 1.271(26) (relating to special requirements and prohibitions for labels).

Cross References

This section cited in 7 Pa. Code § 1.241 (relating to general labeling requirement; exemptions).

§ 1.231. Marking of outside containers—general.

(a) Except as otherwise provided in this chapter, when any inspected and passed product for domestic commerce is moved from an official establishment, the outside container shall bear an official inspection legend.

(b) When any product prepared in an official establishment for domestic commerce has been inspected and passed and is enclosed in a cloth or other wrapping such wrapping shall bear the official inspection legend applied by the approved two and one-half inch rubber brand except that:

(1) the rubber brand may be omitted if the official inspection legend and official establishment number on the product itself are clearly legible through the wrapping or the wrapping is labeled in accordance with this Subchapter; and

(2) plain unprinted wrappings, such as stockinettes, cheese cloth, paper and crinkled paper bags, for properly marked products which are used solely to protect the product against soiling or excessive drying during transportation or storage, need not bear the official inspection legend.

(c) Slack barrels used as outside containers of products shall have a cloth or paper top covering bearing the official inspection legend. At the time of removal of the covering the official inspection legend shall be destroyed.

(d) The outside containers of any product which has been inspected and passed for cooking, pork which has been refrigerated as provided in § 1.331(b)(2) (relating to treatment of pork and products containing pork) and beef which has been inspected and passed for refrigeration shall bear the markings and tag prescribed in § 1.544(b) (relating to products requiring special supervision).

(e) The outside containers of glands and organs which are not used for human food purposes, such as those described in § 1.553 (relating to materials exempted from this subchapter), shall be plainly marked with the phrase "For pharmaceutical purposes," "For organotherapeutic purposes" or "For technical purposes," as appropriate, with no reference to inspection, and need not bear other markings otherwise required in this chapter.

(f) Stencils, box dies, labels and brands may be used on shipping containers of properly labeled products and on such immediate containers of properly marked products as tierces, barrels, drums, boxes, crates and large-size fiberboard containers, without approval if the stencils, box dies, labels and brands are not false or misleading and are approved by the officer in charge. The official inspection legend for use with such markings shall be approved by the Department.

(g) The outside containers of livers prepared as specified in § 1.210 (relating to shipping of condemned livers; conditions for disposal) shall be marked as provided in the section.

§ 1.232. Marking tank cars and trucks.

(a) Each tank car and each tank truck carrying inspected and passed product from an official establishment shall bear a label containing the name of the product in accordance with § 1.244(1) (relating to information required on principal display panel), the official inspection legend and the words "date of loading," followed by a suitable space in which the inspector shall insert the date when the

tank car or truck is loaded. The label shall be located conspicuously and shall be printed on material of such character and so affixed as to preclude detachment or effacement upon exposure to the weather. Before the car or truck is removed from the place where it is unloaded the carrier shall remove or obliterate such label.

(b) Tank cars and tank trucks carrying inspected and passed product from an official establishment to another official establishment shall be equipped for sealing and securely sealed by a program employe with an official seal of the Department bearing the official inspection legend.

§ 1.233. Marking outside containers of inedible grease and the like.

(a) Outside containers of inedible grease, inedible tallow or other inedible animal fat, or mixture of any such articles resulting from operations at any official establishment shall be marked conspicuously with the word “inedible” prior to removal from the point of filling. Containers such as tierces, barrels and half barrels shall have both ends painted white with durable paint, if necessary, to provide a contrasting background, and the word “inedible” shall be marked thereon in letters not less than 2 inches high, while on tank cars and tank trucks the letters shall be not less than 4 inches high.

(b) Inspected rendered animal fat which is not intended for human food may also be marked “inedible” if handled as provided in subsection (a) and Subchapter F (relating to disposal of condemned and other inedible products).

Cross References

This section cited in 7 Pa. Code § 1.206 (relating to inedible fats from outside official establishments).

§ 1.234. Custom prepared products.

(a) Carcasses and parts of carcasses which are custom prepared in accordance with § 1.11(2) (relating to general) shall be marked at the time of preparation with the phrase “Not for Sale” in letters at least three-eighths inch in height, except that such products need not be so marked if in immediate containers properly labeled in accordance with § 1.277 (relating to labeling custom prepared products).

(b) Ink used for marking such products shall comply with the requirements of § 1.224 (relating to branding ink).

§ 1.235. Marking of certain swine carcasses and parts thereof.

The carcasses of boars and cryptorchids, and the primal parts and bone-in cuts susceptible of marking, from such swine that are subject to § 1.160(c) (relating to sexual odor of swine) shall bear the marks prescribed in § 1.160(c).

Source

The provisions of this § 1.235 added October 22, 1971, 1 Pa.B. 2014.

LABELING REQUIREMENTS**§ 1.241. General labeling requirement; exemptions.**

When, in an official establishment, any inspected and passed product is placed in any receptacle or covering constituting an immediate container, there shall be affixed to such container a label as described in this subchapter, except that the following shall not have to bear such a label:

(1) Wrappings of dressed carcasses and primal parts in an unprocessed state bearing the official inspection legend, if such wrappings are intended solely to protect the product against soiling or excessive drying during transportation or storage, and the wrappings bear no information except company brand names, trade marks, or code numbers.

(2) Uncolored transparent coverings, such as cellophane, which bear no written, printed or graphic matter and which enclose any unpackaged or packaged product bearing all markings required by §§ 1.221—1.223 which are clearly legible through such coverings.

(3) Animal and transparent artificial casings bearing only the markings required by §§ 1.229 and 1.230 (relating to marking of sausages and similar products; and special markings for certain meat food products).

(4) Stockinettes used as “operative devices,” such as those applied to cured meats in preparation for smoking, whether or not such stockinettes are removed following completion of the operations for which they were applied.

(5) Containers such as boil-in bags, trays of frozen dinners, and pie pans which bear no information except company brand names, trade marks, code numbers, directions for preparation and serving suggestions, and which are enclosed in a consumer size container that bears a label as described in this subchapter.

(6) Containers of products passed for cooking or refrigeration and moved from an official establishment under the provisions of § 1.141 (relating to general requirements).

§ 1.242. Folders and coverings.

(a) Folders and similar coverings made of paper or similar materials, whether or not they completely enclose the product and which bear any written, printed or graphic matter shall bear all features required on a label for an immediate container.

(b) No covering or other container which bears or is to bear a label shall be filled, in whole or in part, except with product which has been inspected and passed in compliance with this chapter, which is not adulterated and which is strictly in accordance with the statements on the label. No such container shall be filled in whole or in part, and no label shall be affixed thereto, except under supervision of a program employe.

§ 1.243. Identity of label—general.

(a) A label, within the meaning of this subchapter, is a display of any printing, lithographing, embossing, stickers, seals, or other written, printed or graphic matter upon the immediate container (not including package liners) of any product.

(b) Any word, statement or other information required by this subchapter to appear on the label shall be prominently placed thereon with such conspicuousness (as compared with other words, statements, designs or devices, in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use. Such information shall appear on the principal display panel except as otherwise permitted in this subchapter.

(c) The immediate container of bone-in cuts not susceptible of marking, and of boneless meat, derived from carcasses of swine subject to § 1.160(c) (relating to sexual odor of swine), shall bear the marks required by § 1.160(c).

Source

The provisions of this § 1.243 amended October 22, 1971, 1 Pa.B. 2014. Immediately preceding text appears at serial page (1283).

Cross References

This section cited in 7 Pa. Code § 1.160 (relating to sexual odor of swine); and 7 Pa. Code § 1.230 (relating to special markings for certain meat food products).

§ 1.244. Information required on principal display panel.

Labels of all products shall show the following information on the principal display panel except as otherwise permitted in this subchapter:

- (1) The name of the product which, in the case of a product that purports to be or is represented as a product for which a definition and standard of identity or composition is prescribed in this chapter shall be the name of the food specified in the standard, and in the case of any other product shall be the common or usual name of the food, if any there be, and if there is none, a truthful descriptive designation.
- (2) If the product is fabricated from two or more ingredients the word “ingredients” followed by a list of the ingredients as prescribed in § 1.247 (relating to list of ingredients).
- (3) The name and place of business of the manufacturer, packer or distributor for whom the product is prepared as prescribed in § 1.248 (relating to name of product manufacturer, packer or distributor).
- (4) An accurate statement of the net quantity of contents as prescribed in § 1.249 (relating to net quantity statements—general).

(5) An official inspection legend and the number of the official establishment, except as otherwise provided in § 1.256 (relating to establishment number on labels).

(6) Any other information required by Subchapter J (relating to product standards of identity).

Cross References

This section cited in 7 Pa. Code § 1.232 (relating to marking tank cars and trucks); and 7 Pa. Code § 1.245 (relating to identity and size of principal display panel).

§ 1.245. Identity and size of principal display panel.

The principal display panel shall be the part of a label that is most likely to be displayed, presented, shown or examined under customary conditions of display for sale. Where packages bear alternate principal display panels, information required to be placed on the principal display panel shall be duplicated on each principal display panel. The principal display panel shall be large enough to accommodate all the mandatory label information required to be placed thereon by this chapter with clarity and conspicuousness and without obscuring such information by designs or vignettes or crowding. In determining the area of the principal display panel tops, bottoms, flanges at tops and bottoms of cans, and shoulders and necks of bottles or jars shall be excluded. The principal display panel shall conform to the following size requirements:

(1) In the case of a rectangular package, one entire side the area of which shall be at least the product of the height times the width of that side.

(2) In the case of a cylindrical or nearly cylindrical container, an area that is 40% of the product of the height of the container times the circumference of the container, or an area at least one-third of the product of the height times the circumference of the container, if immediately to the right or left of such area, there is an area reserved for information prescribed in § 1.244(2), (3) and (5) (relating to information required on principal display panel) equal to not more than 20% of the circumference.

(3) In the case of a container of any other shape, 40% of the total surface of the container.

§ 1.246. Descriptive designation of product.

(a) Any descriptive designation used as a product name or a label for a product which has no common or usual name shall clearly and completely identify the product.

(b) Product which has been prepared by salting, smoking, drying, cooking, chopping or otherwise shall be so described on the label unless the name of the product implies, or the manner of packaging shows that the product was subjected to such preparation.

(c) The unqualified terms “meat,” “meat byproduct,” “meat food product,” and terms common to the meat industry but not common to consumers, such as “picnic,” “butt,” “cala,” “square,” “loaf,” “spread,” “delight,” “roll,” “plate,” “luncheon” and “daisy,” shall not be used as names of a product unless accompanied with terms descriptive of the product or with a list of ingredients as deemed necessary in any specific case by the Department in order to assure that the label will not be false or misleading.

§ 1.247. List of ingredients.

(a) The list of ingredients shall show the common or usual names of the ingredients arranged in the descending order of predominance, except as otherwise provided in this section.

(b) The term “flavorings” may be used to designate natural spices, essential oils, oleoresins and other natural spice extractives, and the term “spices” may be used to designate natural spices without naming each.

(c) The term “corn syrup” may be used to designate either corn syrup or corn syrup solids.

(d) The term “animal and vegetable fats” or “vegetable and animal fats” may be used to designate the ingredients of mixtures of such edible fats in product designated “compound” or “shortening.” “Animal fats” means fat derived from inspected and passed cattle, sheep, swine or goats.

(e) When a product is coated with pork fat, gelatin or other approved substance and a specific declaration of such coating appears contiguous to the name of the product, the ingredient statement need not make reference to the ingredients of such coating.

(f) When two meat ingredients comprise at least 70% of the meat and meat byproduct ingredients of a formula and when neither of the two meat ingredients is less than 30% by weight of the total meat and meat byproducts used, such meat ingredients may be interchanged in the formula without a change being made in the ingredients statement on labeling materials if the word “and” in lieu of a comma is shown between the declaration of such meat ingredients in the statement of ingredients.

(g) On containers of frozen dinners, entrees, pizzas and similarly consumer packaged products in cartons the ingredient statement may be placed on the front riser panel if the words “see ingredients” followed immediately by an arrow is placed on the principal display panel immediately above the location of such statement without intervening print or designs.

Cross References

This section cited in 7 Pa. Code § 1.244 (relating to information required on principal display panel).

§ 1.248. Name of product manufacturer, packer or distributor.

(a) The name of the person that prepared the product or the name of the operator of the official establishment where the product is prepared by a subsidiary or tenant of the operator may appear as the name of the manufacturer or packer without qualification on the label. Otherwise the name of the distributor of the product shall be shown with a phrase such as “Prepared for . . .” or “Distributed by . . .”.

(b) The place of business of the manufacturer, packer or distributor shall be shown on the label by city, state and postal zip code when such business is listed in a telephone or city directory; and if not listed in such directory then the place of business shall be shown by street address, city, state, and postal zip code.

(c) The name and place of business of the manufacturer, packer or distributor may be shown on one of the following:

- (1) The principal display panel.
- (2) The 20% panel adjacent to the principal display panel reserved for required information.
- (3) The front riser panel of frozen food cartons.

Cross References

This section cited in 7 Pa. Code § 1.244 (relating to information required on principal display panel).

§ 1.249. Net quantity statements—general.

(a) The statement of net quantity of contents shall appear on the principal display panel of all containers to be sold at retail intact and shall appear on all containers in conspicuous and easily legible boldface print or type in distinct contrast to other matter on the package.

(b) The statement as it is shown on a label shall not be false or misleading and shall express an accurate statement of the quantity of contents of the container exclusive of wrappers and packing substances. Reasonable variations caused by loss or gain or moisture during the course of good distribution practices or by unavoidable deviations in good manufacturing practice shall be recognized. Variations from stated quantity of contents shall not be unreasonably large.

(c) The statement shall be placed on the principal display panel within the bottom 30% of the area of the panel in lines generally parallel to the base except that on packages having a principal display panel of five square inches or less, such requirement shall not apply when the statement meets the other requirements of this Subchapter. In any case, the statement may appear in more than one line. The terms “net weight” or “net wt.” shall be used when stating the net quantity of contents in terms of weight, and the term “net contents” or “content” when stating the net quantity of contents in terms of fluid measure.

(d) Except as provided in § 1.269 (relating to labels in foreign languages), the statement shall be expressed in terms of avoirdupois weight or liquid mea-

sure. Where no general consumer usage to the contrary exists, the statement shall be in terms of liquid measure if the product is liquid, or in terms of weight if the product is solid, semisolid viscous or a mixture of solid and liquid. For example, a declaration of 3/4 pound avoirdupois weight shall be expressed as “Net Wt. 12 oz.” unless it is on a random weight package and a declaration of 1 1/2 pounds avoirdupois weight shall be expressed as “Net Wt. 24 oz. (1 lb. 8 oz.),” “Net Wt. 24 oz. (1 1/2 lb.),” or “Net Wt. 24 oz. (1.5 lbs.).”

(e) A “random weight package” is one which is one of a lot, shipment or delivery of packages of the same product with varying weights and with no fixed weight pattern.

Cross References

This section cited in 7 Pa. Code § 1.244 (relating to information required on principal display panel); 7 Pa. Code § 1.253 (relating to multiunit retail packages); and 7 Pa. Code § 1.255 (relating to exemptions from quantity statement requirements).

§ 1.250. Dual declarations on quantity statements.

On packages containing one pound or one pint and less than four pounds or one gallon, the statement of net quantity shall be expressed as a dual declaration both in ounces and immediately thereafter in parenthesis in pounds, with any remainder in terms of ounces or common or decimal fraction of the pound, or in the case of liquid measure, in the largest whole units with any remainder in terms of fluid ounces or common or decimal fractions of the pint or quart. On random weight packages, however, the statement shall be expressed in terms of pounds and decimal fractions of the pound carried out to not more than two decimal places, for packages over one pound, and for packages which do not exceed one pound the statement may be in decimal fractions of the pound in lieu of ounces.

Cross References

This section cited in 7 Pa. Code § 1.253 (relating to multiunit retail packages); and 7 Pa. Code § 1.255 (relating to exemptions from quantity statement requirements).

§ 1.251. Size of quantity statements.

(a) The statement of net quantity shall be in letters and numerals in type size established in relationship to the area of the principal display panel of the package and shall be uniform for all packages of substantially the same size by complying with the following type specifications:

(1) Not less than one-sixteenth inch in height on packages the principal display panel of which has an area of five square inches or less.

(2) Not less than one-eighth inch in height on packages the principal display panel of which has an area of more than five but not more than 25 square inches.

(3) Not less than three-sixteenths inch in height on packages the principal display panel of which has an area of more than 25 but not more than 100 square inches.

(4) Not less than one-quarter inch in height on packages the principal display panel of which has an area of more than 100 but not more than 400 square inches.

(5) Not less than one-half inch in height on packages the principal display panel of which has an area of more than 400 square inches.

(b) The ratio of height to width of letters and numerals shall not exceed a differential of three units to one unit (no more than three times as high as it is wide). Heights pertain to upper case or capital letters. When upper and lower case or all lower case letters are used, it is the lower case letter "o" or its equivalent that shall meet the minimum standards. When fractions are used, each component numeral shall meet one-half the height standards.

(c) The statement shall appear as a distinct item on the principal display panel and shall be separated by a space at least equal to the height of the lettering used in the statement from other printed label information appearing above or below the statement and by a space at least equal to twice the width of the letter "N" of the style of type used in the statement from other printed label information appearing above or below the statement, and by a space at least equal to twice the width of the letter "N" of the style of type used in the statement from other printed label information appearing to the left or right of the statement. It shall not include any term qualifying a unit of weight, measure or count such as, "jumbo quart," "full gallon," "giant quart," "when packed," "minimum" or words of similar import.

Cross References

This section cited in 7 Pa. Code § 1.253 (relating to multiunit retail packages).

§ 1.252. Labels indicating number of servings.

Labels for containers which bear any representation as to the number of servings contained therein shall bear, contiguous to such representation, and in the same size type as is used for such representation, a statement of the net quantity of each such serving.

§ 1.253. Multiunit retail packages.

(a) On a multiunit retail package, a statement of the net quantity of contents shall appear on the outside of the package and shall include the number of individual units, the quantity of each individual unit and, in parentheses, the total net quantity of contents of the multiunit package in terms of avoirdupois or fluid ounces. Such declaration of total quantity need not be followed by an additional

parenthetical declaration in terms of the largest whole units and subdivisions thereof as required by § 1.250 (relating to dual declarations on quantity statements).

(b) “Multiunit retail package” means a package containing two or more individually packaged units of the identical commodity and in the same quantity, with the individual packages intended to be sold as part of the multiunit retail package but capable of being individually sold in full compliance with this Subchapter.

(c) Open multiunit retail packages that do not obscure the number of units and the labeling thereon shall not be subject to the requirements of this section if the labeling of each individual unit complies with §§ 1.249(b) and (c) and 1.251(a) and (c) (relating to net quantity statements—general; and size of quantity statements).

§ 1.254. Quantity statements on certain bacon cartons.

Shingle packed sliced bacon cartons containing product weighing other than eight ounces, one pound, or 2 pounds shall have the statement of the net quantity of contents shown with the same prominence as the most conspicuous feature on the label and printed in a color of ink contrasting sharply with the background.

§ 1.255. Exemptions from quantity statement requirements.

(a) Individually wrapped and labeled packages of less than one-half ounce net weight which are in a shipping container need not bear a statement of net quantity of contents when the statement of net quantity on the shipping container meets the requirements of this subchapter.

(b) Random weight consumer size packages bearing labels declaring net weight, price per pound and total price, shall be exempt from the type size, dual declaration and placement requirements for statements of net quantity if an accurate statement of net weight is shown conspicuously on the principal display panel of the package.

(c) Sliced shingle packed bacon in rectangular packages containing 8 ounces, 1 pound, or 2 pounds shall be exempt from the requirements of §§ 1.249(c) and 1.250 (relating to net quantity statements—general; and dual declarations on quantity statements) if the statement appears as “8 oz.,” “1/2 pound,” “1 pound,” “one pound,” “2 pounds” or “two pounds,” as the case may be, in a conspicuous manner on the principal display panel.

§ 1.256. Establishment number on labels.

(a) The official establishment number shall be either embossed or lithographed on all hermetically sealed metal, plastic or glass containers or products fully processed within such containers in an official establishment, except that such containers which bear labels lithographed directly on the container and in which the establishment number is incorporated need not have the establishment

number separately embossed or lithographed thereon. Labels shall not be affixed to containers so as to obscure the embossed or lithographed establishment number.

(b) When any product is placed in a carton or in a wrapper of paper or cloth or in any other type of container approved by the Department and labeled in accordance with this subchapter, the official inspection legend and the official establishment number may be applied by means of a sticker to be securely and prominently affixed, along with the name of product, at a place on the label reserved for the purpose. If there are two or more display panels featuring the name of product the inspection sticker shall be affixed to each panel.

(c) The official establishment number may be omitted from the official inspection legend on the following containers or labels:

(1) Cartons used as outer containers of edible fats, such as lard and oleomargarine, when such products are enclosed in wrappers which bear an official inspection legend containing the official establishment number.

(2) The immediate containers of sliced bacon, frozen dinners and pies, and similarly packaged products when the official establishment number is placed on an end panel at the time of packaging and when it is presented on a single colored background in a prominent and legible manner in a size sufficient to insure easy recognition.

(3) Consumer size packages of sliced meat food products when the official establishment number is printed on the label at the time of packaging and when it is presented on a single colored background in a prominent and legible manner in a size sufficient to insure easy recognition.

(4) Consumer size containers of meat food products in aluminum pans or trays when the official establishment number is embossed in such pans or trays and when a statement such as "Est. No. on Pan" is placed contiguous to the official inspection legend on the container.

(5) Artificial casings or bags enclosing meat food products when the official establishment number is etched in ink on a flat surface of a metal clip used to close the container in a prominent and legible manner in a size sufficient to insure easy recognition and when a statement, such as, "Est. No. on Metal Clip" is placed contiguous to the official inspection legend on the casing or bag.

(6) Paper labels of canned products when the official establishment number is printed on the principal display panel at the time of labeling the container, or the official establishment number may be printed on the back of the paper label when the statement "Est. No. on Back of Label" is printed contiguous to the official legend, in a prominent and legible manner in a size sufficient to insure easy recognition.

Cross References

This section cited in 7 Pa. Code § 1.244 (relating to information required on principal display panel).

§ 1.257. Imitation food.

(a) A label for a product which is an imitation of another food shall bear the word “imitation” immediately preceding the name of the food imitated and in the same size and style of lettering as in that name. Immediately thereafter the word “ingredients” shall appear followed by the names of the ingredients arranged in the order of their predominance.

(b) Subsection (a) shall not apply to parts of a carcass which have been so prepared that they resemble an article such as a ham for which a standard is prescribed in Subchapter J (relating to product standards of identity) but which do not meet the requirements of such standard.

§ 1.258. Diet food.

If a product purports to be or is represented for any special dietary use by man, its label shall bear a statement concerning its vitamin, mineral and other dietary properties upon which the claim for such use is based in whole or in part and shall be in conformity with the provisions of 21 CFR Part 125, established pursuant to the Federal Act (21 U.S.C.A. §§ 343 and 371).

§ 1.259. Artificial flavoring.

(a) When an approved artificial smoke flavoring or an approved smoke flavoring is added as an ingredient in the formula of a meat food product as permitted by this chapter, there shall appear on the label, in prominent letters and contiguous to the name of the product, a statement such as “Smoke Flavoring Added” or “Smoke Flavoring Added,” as may be applicable, and the ingredient statement shall identify any artificial smoke flavoring so added.

(b) When any other artificial flavoring is permitted to be added to a product, the ingredient statement shall identify it as “Artificial Flavoring.”

§ 1.260. Artificial coloring.

(a) When artificial coloring is permitted to be added to edible fats it shall be declared on the label in a prominent manner and contiguous to the name of the product by the words “Artificially colored,” “Artificial coloring added” or “With added artificial coloring.” When natural coloring such as annatto is added to edible fats such substance shall be declared on the label in the same manner by a phrase such as “Colored with annatto.”

(b) When product is placed in a casing to which artificial coloring is applied there shall appear on the label, in a prominent manner and contiguous to the name of the product, the words, “Artificially colored.”

(c) If a casing is removed from product at an official establishment and there is evidence of artificial coloring on the surface of the product, there shall appear on the label, in a prominent manner and contiguous to the name of product, the words "Artificially colored."

(d) When a casing is colored prior to its use as a covering for product and the color is not transferred to the product enclosed in the casing, no reference to color need appear on the label but no such casing may be used if it is misleading or deceptive with respect to color, quality, kind of product or otherwise.

(e) Product which bears or contains any other artificial coloring as permitted shall bear a label stating that fact on the immediate container or if there is none, on the product.

§ 1.261. Antioxidant.

When an antioxidant is added to product there shall appear on the label in prominent letters and contiguous to the name of the product, a statement identifying the officially approved specific antioxidant by its common name or abbreviation thereof and the purpose for which it is added, such as, "BHA, BHT and Propyl gallate added to help protect flavor."

§ 1.262. Preservatives.

Containers of other product packed in, bearing, or containing any chemical preservative shall bear a label stating that fact.

§ 1.263. Packaged products requiring special handling.

(a) Packaged products which require special handling to maintain their wholesome condition shall have prominently displayed on the principal display panel of the label the statement "KEEP REFRIGERATED," "KEEP FROZEN," "PERISHABLE KEEP UNDER REFRIGERATION," or such similar statement as the Department may approve in specific cases.

(b) Products that are distributed frozen during distribution and thawed prior to or during display for sale at retail shall bear the statement on the shipping container, "KEEP FROZEN." The consumer-size containers for such products shall bear the statement, "PREVIOUSLY HANDLED FROZEN FOR YOUR PROTECTION, REFREEZE OR KEEP REFRIGERATED." For all perishable canned products the statement shall be shown in upper case letters 1/4 inch in height for containers having a net weight of 3 pounds or less, and for containers having a net weight over 3 pounds, the statement shall be in upper case letters at least 1/2 inch in height.

§ 1.264. Abbreviations of marks of inspection.

The Department may approve and authorize the use of abbreviations of marks of inspection. Such abbreviations shall have the same force and effect as the respective marks for which they are authorized abbreviations.

§ 1.265. Marking devices bearing inspection legend.

Except for the purpose of submitting a sample or samples of the same to the Department for approval, no person shall procure, make or prepare, or cause to be procured, made or prepared, labels, brands or other marking devices bearing the inspection legend or any abbreviations, copy or representation thereof, for use on any product without the written authority therefor of the Department. However, when any sample label, brand or other marking device is approved by the Department, new supplies of such labels and new brands and other marking devices of a character exactly similar to such approved sample may be procured, made or prepared for use without further approval.

Cross References

This section cited in 7 Pa. Code § 1.268 (relating to use of labels; existing stocks).

§ 1.266. Approval of labels.

(a) Except as provided in subsection (d) no label shall be used on any product until it has been approved in its final form by the Department. For the convenience of the establishment, sketches or proofs of new labels may be submitted in triplicate through the veterinary supervisor to the program for approval and the preparation of finished labels deferred until such approval is obtained. All finished labels shall be submitted in triplicate through the veterinary supervisor to the program for approval.

(b) In case of lithographed labels, paper take-offs in lieu of sections of the metal containers shall be submitted for approval. Such paper take-offs shall not be in the form of a negative but shall be a complete reproduction of the label as it will appear on the package, including any color scheme involved. In case of fiber containers, printed layers, such as the kraft paper sheet, shall be submitted for approval in lieu of the complete container.

(c) Inserts, tags, liners, pasters and like devices containing printed or graphic matter and for use on, or to be placed within, containers and coverings of product shall be submitted for approval in the same manner as provided for labels in subsection (a), except that the veterinary supervisor may permit use of such devices which contain no reference to product and bear no misleading feature.

(d) Stencils, labels, box dies and brands may be used on shipping containers and on such immediate containers as tierces, barrels, drums, boxes, crates, and large-size fiberboard containers if the markings are applicable to the product, are not false or deceptive, and are used with the approval of the veterinary supervisor. The inspection legend for use in combination with such markings shall be approved by the Department.

§ 1.267. Approval of label modifications by veterinary supervisor.

The veterinary supervisor may approve modification of approved labels or markings under the following circumstances if the labeling or marking as modified is so used as not to be false or misleading:

- (1) When all features of the label or marking are proportionately enlarged and the color scheme remains the same.
- (2) When there is substitution of such abbreviations as “lb.” for “pound,” or “oz.” for “ounce” or the word “pound” or “ounce” is substituted for the abbreviation.
- (3) When a master or stock label has been approved from which the name and address of the distributor are omitted and such name and address are applied before being used. In such case, the words “prepared for” or similar statement shall be shown together with the blank space reserved for the insertion of the name and address when such labels are offered for approval.
- (4) When, during Christmas and other holiday seasons, wrappers or other covers bearing floral or foliage designs or illustrations of rabbits, chicks, fireworks or other emblematic holiday designs are used with approved labels or markings. The use of such designs shall not make necessary the application of labeling not otherwise required.
- (5) When there is a slight change in arrangement of directions pertaining to the opening of cans or the serving of the product.
- (6) When there is a change in the quantity of an ingredient shown in the formula without a change in the order of predominance shown on the label if the change in quantity of ingredients complies with any minimum or maximum limits for the use of such ingredients prescribed in this chapter.

§ 1.268. Use of labels; existing stocks.

Labels shall be used only on products for which they are approved in accordance with § 1.265 (relating to marking devices bearing inspection legend) except that existing stocks of labels approved prior to January 1, 1971, and the quantity of which has been identified to the Department as being in storage on such date at the official establishment or other identified warehouse for the account of the operator of the official establishment may be used until such stocks are exhausted, but not later than January 1, 1972, unless such labels conform to all the requirements of this chapter. The Department may upon the show of good cause grant individual extension of time as he deems necessary.

§ 1.269. Labels in foreign languages.

Labels to be affixed to packages of product may be printed in a foreign language and may show the statement of the quantity of contents in accordance with the foreign usage. Other deviations from the form of labeling required by this subchapter may be approved for such product by the Department if the require-

ments of this subchapter apply. The inspection legend and the establishment number shall in all cases appear in English but in addition, may appear literally translated in a foreign language.

Cross References

This section cited in 7 Pa. Code § 1.249 (relating to net quantity statements—general).

§ 1.270. False or misleading labeling—general.

(a) No product or any of its wrappers, packaging or other containers shall bear any false or misleading marking, label or other labeling and no statement, word, picture, design or device which conveys any false impression or gives any false indication of origin or quality or is otherwise false or misleading shall appear in any marking or other labeling. No product shall be wholly or partly enclosed in any wrapper, packaging or other container that is so made, formed or filled as to be misleading.

(b) The requirement that the label shall contain the name and place of business of the manufacturer, packer or distributor shall not relieve any establishment from the requirement that its label shall not be misleading in any particular.

§ 1.271. Specific requirements and prohibitions for labels.

The labels and containers of product shall comply with the following provisions as applicable:

(1) Terms having geographical significance with reference to a locality other than that in which the product is prepared may appear on the label only when qualified by the word “style,” “type” or “brand,” as the case may be, in the same size and style of lettering as in the geographical term, and accompanied with a prominent qualifying statement identifying the country, state, territory, or locality in which the product is prepared, using terms appropriate to effect the qualification. When the word “style” or “type” is used, there shall be a recognized style or type of product identified with and peculiar to the area represented by the geographical term, the product shall possess the characteristics of such style or type, and the word “brand” shall not be used in such a way as to be false or misleading. A geographical term, however, which has come into general usage as a trade name and which has been approved by the Department as being a generic term may be used without such qualifications. The terms “frankfurter,” “vienna,” “bologna,” “lebanon bologna,” “braunschweiger,” “thuringer,” “genoa,” “leona,” “berliner,” “holstein,” “goteborg,” “milan,” “polish” and their modifications as applied to sausages, the terms “brunswick” and “irish” as applied to stews, and the term “boston” as applied to pork shoulder butts need not be accompanied with the word “style,” “type” or “brand,” or a statement identifying the locality in which the product is prepared.

(2) Such terms as “farm” or “country” may not be used on labels in connection with products unless such products are actually prepared on the farm or in the country except that:

(i) if the product is prepared in the same way as on the farm or in the country these terms, if qualified by the word “style” in the same size and style of lettering, may be used; and

(ii) the term “farm” may be used as part of a brand designation when qualified by the word “brand” in the same size and style of lettering, and followed with a statement identifying the locality in which the product is prepared. Sausage containing cereal shall not be labeled “farm style” or “country style,” and lard not rendered in an open kettle shall not be designated as “farm style” or “country style.”

(3) The term “spring lamb” or “genuine spring lamb” shall be applicable only to carcasses of new-crop lambs slaughtered during the period beginning in March and terminating not later than the close of the week containing the first Monday in October.

(4) Coverings shall not be of such color, design or kind as to be misleading with respect to color, quality or kind of product to which they are applied. For example, transparent or semitransparent coverings for such articles as sliced bacon or fresh (uncooked) meat and meat food products shall not bear lines or other designs of red or other color which give a false impression of leanness of the product. Transparent or semitransparent wrappers, casings or coverings for use in packaging cured, cured and smoked, or cured and cooked sausage products, and sliced ready-to-eat meat food products may be color tinted or bear red designs on 50% of such wrapper or covering if:

(i) the transparent or semitransparent portion of the principal display panel is free of color tinting and red designs; and

(ii) the principal display panel provides at least 20% unobstructed clear space, consolidated in one area so that the true nature and color of the product is visible to the consumer.

(5) The term “fresh” shall not be used on labels to designate product which contains any sodium nitrate, sodium nitrite, potassium nitrate or potassium nitrite, or which has been salted for preservation.

(6) No ingredient shall be designated on the label as a spice, flavoring or coloring unless it conforms with the meaning of such terms as commonly understood by consumers. The term “spice” shall be shown for all natural spices. An ingredient which is both a spice and a coloring or both a flavoring and a coloring shall be designated as “spice and coloring” or “flavoring and coloring,” as the case may be, unless such ingredient is designated by its specific name.

(7) As used on labels of product, the term “gelatin” shall mean:

(i) the jelly prepared in official establishments by cooking pork skins, tendons, or connective tissue from inspected and passed product; or

- (ii) dry commercial gelatin or the jelly resulting from its use.
- (8) Product (other than canned product) labeled with the term “loaf” as part of its name shall conform with the following:
 - (i) If distributed from the official establishment in consumer size containers may be in any shape.
 - (ii) If distributed in a container of size larger than that sold intact at retail the product shall be prepared in rectangular form, or as specified in subparagraph (iii).
 - (iii) If labeled as an “Old Fashioned Loaf” shall be prepared in a traditional form, such as rectangular with rounded top or circular with flat bottom and rounded top.
- (9) The term “baked” shall apply only to product which has been cooked by the direct action of dry heat and for a sufficient time to permit the product to assume the characteristics of a baked article, such as the formation of a brown crust on the surface, rendering out of surface fat, and the caramelization of the sugar if applied. Baked loaves shall be heated to a temperature of at least 160°F. and baked pork cuts shall be heated to an internal temperature of at least 170°F.
- (10) When products such as loaves are browned by dipping in hot edible oil or by a flame, the label shall state such fact by words such as “Browned in Hot Cottonseed Oil” or “Browned by a Flame,” appearing as part of the product name.
- (11) The term “meat” and the names of particular kinds of meat, such as beef, veal, mutton, lamb and pork, shall not be used in such manner as to be false or misleading.
- (12) The term “ham,” without any prefix indicating the species of animal from which derived shall be used in labeling only in connection with the hind legs of swine. Ham shanks or ham shank meat or the trimmings accruing in the trimming and shaping of hams shall not be labeled “ham” or “ham meat” without qualification. When used in connection with a chopped product the term “ham” or “ham meat” shall not include the skin.
- (13) The terms “shankless” and “hockless” shall apply only to hams and pork shoulders from which the shank or hock has been completely removed, thus eliminating the entire tibia and fibula, or radius and ulna, respectively, together with the overlying muscle, skin and other tissue.
- (14) Such terms as “meat extract” or “extract of beef” without qualification shall not be used on labels of connection with products prepared from organs or other parts of the carcass, other than fresh meat. Extracts prepared from any parts of the carcass other than fresh meat may be properly labeled as extracts with the true name of the parts from which prepared. In the case of extract in fluid form, the word “fluid” shall also appear on the label as, for example, “fluid extract of beef.”

(15) When cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, isolated soy protein, dried milk, nonfat dry milk, or calcium reduced dried skim milk is added to sausage there shall appear on the label in a prominent manner, contiguous to the name of the product, the name of each such added ingredient as, for example, "Cereal and Potato Flour Added," "Soy Flour Added," "Soy Protein Concentrate Added," "Isolated Soy Protein Added," "Nonfat Dry Milk Added," "Calcium Reduced Dried Skim Milk Added," or "Cereal and Nonfat Dry Milk Added."

(16) When any product is enclosed in a container along with a packing substance such as brine, vinegar or agar jelly a declaration of the packing substance shall be printed prominently on the label as part of the name of the product as, for example, "frankfurts packed in brine," "lamb tongue packed in vinegar," or "beef tongue packed in agar jelly." The packing substance shall not be used in such a manner as will result in the container being so filled as to be misleading.

(17) The term "Leaf Lard" shall refer to lard prepared from fresh leaf fat.

(18) When lard or hardened lard is mixed with rendered pork fat or hardened rendered pork fat, the mixture shall be designated as "rendered pork fat" or "hardened rendered pork fat," respectively.

(19) Oil, stearin or stock obtained from beef or mutton fats rendered at a temperature above 170°F shall not be designated as "oleo oil," "oleo stearin" or "oleo stock."

(20) When not more than 20% of beef fat, mutton fat, oleo stearin, vegetable stearin or hardened vegetable fat is mixed with lard or with rendered pork fat, there shall appear on the label, contiguous to and in the same size and style of lettering as the name of the product, the words "beef fat added," "mutton fat added," "oleo stearin added," "vegetable stearin added" or "hardened vegetable fat added," as the case may be. If more than 20% is added, the product name shall refer to the particular animal fat or fats used, such as, "Lard and Beef Fat." The designation "vegetable fat" shall be applicable to vegetable oil, vegetable stearin, or a combination of such oil and stearin, whereas the designations "vegetable oil" and vegetable stearin" shall be applicable only to the oil and the stearin, respectively, when used in meat food products.

(21) Cooked, cured or pickled pigs feet, pigs knuckles and similar products shall be labeled to show that the bones remain in the product, if such is the case. The designation "semiboneless" shall not be used if less than 50% of the total weight of bones has been removed.

(22) When monoglycerides, diglycerides or polyglycerol esters of fatty acids are added to rendered animal fat or a combination of such fat and vegetable fat there shall appear on the label in a prominent manner and contiguous to the name of the product a statement such as "With Monoglycerides and Diglycerides Added," or "With Diglycerides and Monoglycerides" or "With Polyglycerol Esters of Fatty Acids."

(23) When approved proteolytic enzymes are used on steaks or other meat cuts in an official establishment there shall appear on the label contiguous to the product name, a prominent descriptive statement, such as “Dipped in a solution of Papain,” to indicate the use of such enzymes.

(24) When dimethylpolysiloxan is added as an antifoaming agent to rendered fats its presence shall be declared on the label contiguous to the name of the product. Such declaration shall read “Dimethylpolysiloxan Added.”

(25) When pizzas are formulated with crust containing calcium propionate or sodium propionate there shall appear on the label contiguous to the name of the product the statement “. . . added to retard spoilage of crust” preceded by the name of the preservative.

(26) Sausage of the dry varieties treated with potassium sorbate or propylparaben (propyl p-hydroxybenzoate) shall be marked or labeled with a statement disclosing such treatment and the purpose thereof, such as “dipped in a potassium sorbate solution to retard mold growth.”

(27) Meat of goats shall be identified as goat meat or chevon.

Source

The provisions of this § 1.271 amended October 22, 1971, 1 Pa.B. 2014. Immediately preceding text appears at serial pages (1297) to (1302).

Cross References

This section cited in 7 Pa. Code § 1.230 (relating to special markings for certain meat food products); and 7 Pa. Code § 1.277 (relating to labeling custom prepared products).

§ 1.272. Reuse of official inspection marks.

(a) No official inspection legend or other official mark which has been previously used shall be used again for the identification of any product, except as provided in subsection (b).

(b) All stencils, marks, labels or other labeling on previously used containers, whether relating to any product or otherwise, shall be removed or obliterated before such containers are used for any product, unless such labeling correctly indicates the product to be packed therein and such containers are refilled under the supervision of a program employe.

§ 1.273. Handling of labeled products.

(a) No person shall in any official establishment apply or affix, or cause to be applied or affixed, any label to any product prepared or received in such establishment or to any container thereof, or fill any container at such an establishment except in compliance with this chapter.

(b) No covering or other container shall be filled, in whole or in part at any official establishment with any product unless all of the following:

(1) It has been inspected and passed in compliance with this chapter.

- (2) Is not adulterated and is strictly in accordance with the statements on the label.
- (3) The filling is done under the supervision of a program employee.
- (c) No person shall remove or cause to be removed from an official establishment any product bearing a label unless such label is in compliance with this chapter, or any product not bearing a label required by this chapter.

§ 1.274. Relabeling products.

(a) When it is claimed by an official establishment that any of its products which bore labels bearing official marks has been transported to a location other than an official establishment, and it is desired to relabel the product because the labels have become mutilated or otherwise damaged, a request for relabeling the product shall be sent to the Department accompanied with a statement of the reasons therefor.

(b) Labeling material intended for relabeling inspected and passed product shall not be transported from an official establishment until permission has been received from the Department. The relabeling of inspected and passed product with labels bearing any official marks shall be done under the supervision of a program inspector. The official establishment shall reimburse the program in accordance with the regulations of the Department for any cost involved in supervising the relabeling of the product.

§ 1.275. Transportation of official inspection marks.

Labels, wrappers and containers bearing any official marks, with or without the establishment number, may be transported from one official establishment to any other official establishment if the shipments are made with the prior authorization of the veterinary supervisor at point of origin who shall notify the veterinary supervisor at destination concerning the date of shipment, quantity and type of labeling material involved. No such material shall be used at the establishment to which it is shipped unless such use conforms with this chapter.

§ 1.276. Reporting obsolete labels.

At least once a year the operator of each official establishment shall submit to the Department, in quadruplicate, a list of approved labels no longer used or a list of the documents issued by the Department approving the labels involved. The approved labels shall be identified by the approval number, the date of approval, and the name of the product or other designation showing the class of labeling material.

§ 1.277. Labeling custom prepared products.

(a) Products that are custom prepared shall be packaged immediately after preparation. In lieu of information otherwise required by this subchapter, such packaging shall be labeled with the following information conspicuously dis-

played on the principal display panel and conforming with the requirements of § 1.271 (relating to specific requirements and prohibitions for labels):

- (1) The words "Not for Sale" in lettering not less than three-eighths inch in height.
 - (2) The name of the product.
 - (3) The word "ingredients" followed by a list of ingredients, if the product is made from two or more ingredients.
 - (4) The name and place of business of the custom operator who prepared the product.
 - (5) An accurate statement of the quantity of contents.
 - (6) Handling instructions, if necessary to insure that the public will be informed of the manner of handling required to maintain the product in a wholesome condition.
 - (7) Any other information required to appear on the label, except the official inspection legend.
- (b) Such custom prepared products shall not have false or misleading labeling on containers or be otherwise misbranded.

Cross References

This section cited in 7 Pa. Code § 1.11 (relating to general); and 7 Pa. Code § 1.234 (relating to custom prepared products).

Subchapter I. ENTRY, REINSPECTION AND PREPARATION OF PRODUCTS

ENTRY INTO OFFICIAL ESTABLISHMENTS

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- 1.344. Pesticide chemicals and other residues in products.

Cross References

This subchapter cited in 7 Pa. Code § 1.402 (relating to fresh pork sausage); 7 Pa. Code § 1.403 (relating to fresh beef sausage); 7 Pa. Code § 1.404 (relating to breakfast sausage); 7 Pa. Code § 1.405 (relating to whole hog sausage); 7 Pa. Code § 1.406 (relating to smoked pork sausage); and 7 Pa. Code § 1.407 (relating to frankfurter, wiener, vienna, bologna and similar products).

ENTRY INTO OFFICIAL ESTABLISHMENTS**§ 1.291. General requirements.**

(a) Except as otherwise provided in this subchapter no product shall be brought into an official establishment unless it has been prepared only in an official establishment and previously inspected and passed by a program employe, and is identified by an official inspection legend as so inspected and passed.

(b) Products imported in accordance with Federal regulations may enter any official establishment subject in other respects to the same restrictions as apply to domestic products.

(c) Products received in an official establishment during the absence of the program employe shall be identified and maintained in a manner acceptable to such employe. Product entering any official establishment shall not be used or prepared thereat until it has been reinspected. Any product originally prepared at

any official establishment may not be returned into any part of such establishment, except the receiving area approved under § 1.314 (relating to receiving place for articles to be reinspected), until it has been reinspected by the inspector.

§ 1.292. Poultry.

No slaughtered poultry or poultry product shall be brought into an official establishment unless it has complied with one of the following requirements:

- (1) Been previously inspected and passed and identified as such in accordance with the requirements of the Federal Poultry Products Inspection Act (21 U.S.C.A. § 451 et seq.) and the regulations thereunder, and has not been prepared other than in an establishment inspected under the Federal Act.
- (2) Been inspected and passed and identified as such in accordance with the requirements of a State law.

§ 1.293. Ingredients in meat and food products.

Every article for use as an ingredient in the preparation of meat food products, when entering any official establishment and at all times while it is in such establishment, shall bear a label showing the name of the article, the amount or percentage therein of any substances restricted by this chapter, and a list of ingredients in the article if composed of two or more ingredients except that in the case of articles received in tank car lots, only one such label shall be used to identify each lot. In addition, the label shall show the name and address of the shipper.

§ 1.294. Labeling of certain containers.

Containers of preparations which enter any official establishment for use in cooling or retort water, in hot scalding water or in denuding of tripe shall at all times while they are in such establishment bear labels showing the chemical names of the chemicals in such preparations. In the case of any preparation containing any chemicals which are specifically limited as to amount permitted to be used, the labels on the containers shall also show the percentage of each such chemical in the preparation.

§ 1.295. Dyes and other substances.

- (a) Dyes, chemicals or other substances the use of which is restricted to certain products may be brought into or kept in an official establishment only if such products are prepared thereat. No prohibited dye, chemical, preservative or other substance shall be brought into or kept in an official establishment.
- (b) All isolated soy protein, when entering and while in any official establishment, shall be labeled in accordance with and otherwise meet the requirements of this subchapter.

§ 1.296. Certain glands and organs.

(a) Glands and organs, such as cotyledons, ovaries, prostate glands, tonsils, spinal cords, and detached lymphatic, pineal, pituitary, parathyroid, suprarenal, pancreatic and thyroid glands, used in preparing pharmaceutical, organotherapeutic or technical products and which are not used as human food (whether or not prepared at official establishments) may be brought into and stored in edible product departments of inspected establishments if packaged in suitable containers so that the presence of such glands and organs will in no way interfere with the maintenance of sanitary conditions or constitute an interference with inspection.

(b) Glands or organs which are regarded as human food products, such as livers, testicles and thymus glands, may be brought into official establishments for pharmaceutical, organotherapeutic, or technical purposes only if United States or State inspected and passed and so identified.

(c) Lungs and lung lobes derived from livestock slaughtered in any establishment may not be brought into any official establishment except as provided in § 1.340 (relating to animal food and similar articles).

Source

The provisions of this § 1.296 amended September 17, 1971, 1 Pa.B. 1825. Immediately preceding text appears at serial page (1308).

Cross References

This section cited in 7 Pa. Code § 1.553 (relating to materials exempted from this subchapter).

§ 1.297. Game animals and custom-slaughtered livestock.

Carcasses of game animals, carcasses derived from the slaughter by any person of livestock of his own raising, and parts of such carcasses may be brought into an official establishment for preparation, packaging and storing in accordance with the provisions of § 1.11(2) (relating to general).

§ 1.298. Information required by operator.

The operator of the official establishment shall furnish such information as is necessary to determine the origin of any product or other article entering the official establishment. Such information shall include, but is not limited to, the name and address of the seller or supplier, transportation company, agent, or broker involved in the sale or delivery of the product or article in question.

§ 1.299. Action for noncompliance with regulations.

(a) Any product or any poultry or poultry product or other article that is brought into an official establishment contrary to any provision of this subchapter may be required by the Department to be removed immediately from such

establishment by the operator thereof, and failure to comply with such requirement shall be deemed a violation of this regulation.

(b) If any slaughtered poultry or poultry products or other articles are received at an official establishment and are suspected of being adulterated or misbranded under the Federal Poultry Products Inspection Act (21 U.S.C.A. § 451 et seq.) or the Federal Food, Drug, and Cosmetic Act (21 U.S.C.A. § 301 et seq.) or applicable State laws, the appropriate governmental authorities shall be notified.

REINSPECTION OF PRODUCTS

§ 1.311. General requirement.

(a) All products and all slaughtered poultry and poultry products brought into any official establishment shall be identified by the operator of the official establishment and shall be subject to reinspection at the time of receipt at the official establishment by a program employe at the official establishment in such manner and at such times as may be deemed necessary by the officer in charge to assure compliance with this chapter.

(b) All products, whether fresh, cured or otherwise prepared, even though previously inspected and passed, shall be reinspected by program employes as often as they may deem necessary in order to ascertain that they are not adulterated or misbranded at the time they enter or leave official establishments and that the requirements of this chapter are complied with.

§ 1.312. Sampling plans for reinspection.

(a) Reinspection may be accomplished through use of statistically sound sampling plans that assure a high level of confidence. The veterinary supervisor shall designate the type of plan and the program employe shall select the specific plan to be used in accordance with instructions issued by the Department.

(b) Further information concerning sampling plans which have been adopted for specific products may be obtained from the veterinary supervisor of program circuits. These sampling plans are developed for individual products by the Harrisburg staff and will be distributed for field use as they are developed. The type of plan applicable depends on factors such as whether the product is in containers, stage of preparation, and procedures followed by the establishment operator. The specific plan applicable depends on the kind of product involved, such as liver, oxtails and the like.

§ 1.313. Disposition after reinspection.

(a) A "Pa. Retained" tag shall be placed by a program employe at the time of reinspection at any official establishment on all products which are suspected on

such reinspection of being adulterated or misbranded, and such products shall be held for further inspection. Such tags shall be removed only by authorized program employees.

(b) If the product is found to be on further inspection adulterated all official inspection legends or other official marks for which the product is found to be ineligible shall be removed or defaced and the product shall be subject to condemnation and disposal in accordance with Subchapter F (relating to disposal of condemned and other inedible products). A determination regarding adulteration may be deferred if a product has become soiled or unclean by falling on the floor or in any other accidental way or if the product is affected with any other condition which the inspector deems capable of correction. In such case the product shall be cleaned (including trimming if necessary) or otherwise handled in a manner approved by the inspector to assure that it will not be adulterated or misbranded and shall then be presented for reinspection and disposal in accordance with this section.

(c) If upon final inspection, the product is found to be neither adulterated nor misbranded, the inspector shall remove the "Pa. Retained" tag. If a product is found upon reinspection to be misbranded, it shall be held under a "Pa. Retained" tag as provided in Subchapter M (relating to miscellaneous provisions), pending correction of the misbranding or issuance of an order under section 16 of the act (31 P. S. § 483.16) to withhold from use the labeling or container of the product, or the institution of a judicial seizure action under section 15 of act (31 P. S. § 483.15) or other appropriate action.

(d) The inspector shall make a complete record of each transaction under this section and shall report his action to the officer in charge.

Cross References

This section cited in 7 Pa. Code § 1.545 (relating to return of adulterated or misbranded products).

§ 1.314. Receiving place for articles to be reinspected.

Every official establishment shall designate, with the approval of the veterinary supervisor, a dock or place at which products and other articles subject to reinspection shall be received, and such products and articles shall be received only at such dock or place.

Cross References

This section cited in 7 Pa. Code § 1.42 (relating to other facilities to be provided by the establishment); and 7 Pa. Code § 1.291 (relating to general requirements).

PREPARATION OF PRODUCTS**§ 1.321. General requirements; supervision.**

(a) Except as otherwise provided in this chapter, all processes used in curing, pickling, rendering, canning or otherwise preparing any product in official establishments shall be supervised by program employees.

(b) No fixtures or appliances, such as tables, trucks, trays, tanks, vats, machines, implements, cans or containers of any kind, shall be used unless they are of such materials and construction as will not contaminate or otherwise adulterate the product and are clean and sanitary.

(c) All steps in the preparation of edible products shall be conducted carefully and with strict cleanliness in rooms or compartments separate from those used for inedible products.

§ 1.322. Responsibility of official establishment.

It shall be the responsibility of the operator of every official establishment to comply with the act and this chapter. In order to effectively carry out this responsibility the operator of the establishment shall institute appropriate control programs to assure the maintenance of the establishment and the preparation, marking, labeling, packaging and other handling of its products strictly in accordance with this chapter. The efficiency of such control programs shall be subject to review by a program employe.

§ 1.323. Procedure requirements.

(a) —

(1) Care shall be taken to assure that product is not adulterated when placed in freezers. If there is doubt as to the soundness of any frozen product, the inspector shall require the defrosting and reinspection of a sufficient quantity thereof to determine its actual condition.

(2) Frozen product may be defrosted in water or pickle in a manner and with the use of facilities which are acceptable to the inspector. Before such product is defrosted, a careful examination shall be made to determine its condition. If necessary, this examination shall include defrosting of representative samples by means other than in water or pickle.

(b) Product, such as pork tenderloins, brains, sweetbreads, stew or chop suey shall not be packed in hermetically sealed metal or glass containers unless subsequently heat processed or otherwise treated to preserve the product in a manner approved by the Department.

(c) Care shall be taken to remove bones and parts of bones from product which is intended for chopping.

(d) Heads for use in the preparation of meat food products shall be split and the bodies of the teeth, the turbinated and ethmoid bones, ear tubes, and horn butts removed, and the heads then thoroughly cleaned.

(e) Kidneys for use in the preparation of meat food products shall first be freely sectioned and then thoroughly soaked and washed. All detached kidneys, including beef kidneys with detached kidney fat, shall be inspected before being used in or shipped from the official establishment.

(f) Cattle paunches and hog stomachs for use in the preparation of meat food products shall be emptied of their contents promptly after removal from the carcasses and shall be thoroughly cleaned on all surfaces and parts immediately.

(g) Clotted blood shall be removed from hog hearts before they are shipped from the official establishment or used in the preparation of meat food products.

(h) Beef rounds, beef bungs, beef middles and hog stomachs which are to be used as containers of any meat food product shall be presented for inspection, turned with the fat surface exposed.

(i) Portions of casings which show infection with oesophagostomum or other nodule-producing parasite, and weasands infected with the larvae of *hypoderma lineatum*, shall be rejected, except that when the infestation is slight and the nodules and larvae are removed, the casing or weasand may be passed.

§ 1.324. Ingredient requirements—general.

(a) All ingredients and other articles used in the preparation of any product shall be clean, sound, healthful, wholesome and otherwise such as will not result in the product being adulterated.

(b) Official establishments shall furnish inspectors accurate information on all procedures involved in product preparation including product composition and any changes in such procedures essential for inspectional control of the product.

§ 1.325. Casings.

(a) The only animal casings that may be used as containers of product are those from cattle, sheep, swine or goats.

(b) Casings for products shall be carefully inspected by program employees. Only those casings which have been carefully washed and thoroughly flushed with clean water immediately before stuffing, and suitable for containers, clean, and are passed on such inspection shall be used, except that preflushed animal casings packed in salt or salt and glycerine solution or other approved medium may be used without additional flushing if they are found to be clean and otherwise acceptable and are thoroughly rinsed before use.

(c) Hog and sheep casings intended for use as containers of product may be treated by soaking in or applying thereto sound, fresh pineapple juice or papain or bromelin or pancreatic extract to permit the enzymes contained in these substances to act on the casings to make them less resistant. The casings shall be handled in a clean and sanitary manner throughout and the treatment shall be followed by washing and flushing the casings with water sufficiently to effectively remove the substance used and terminate the enzymatic action.

§ 1.326. Ingredient requirements—miscellaneous.

(a) On account of the invariable presence of bone splinters, detached spinal cords shall not be used in the preparation of edible product other than for rendering where they constitute a suitable raw material.

(b) If handled as an edible product testicles may be shipped from the official establishment as such, but they shall not be used as an ingredient of a meat food product.

(c) Tonsils shall be removed and shall not be used as ingredients of meat food products.

(d) Hog blood shall not be used as an ingredient of meat food products. No blood which comes in contact with the surface of the body of an animal or is otherwise contaminated shall be collected for food purposes. Only blood from animals, the carcasses of which are inspected and passed, may be used for meat food products. The defibrination of blood intended for food purposes shall not be performed with the hands.

(e) Intestines shall not be used as ingredients of meat food products.

(f) Poultry products which are intended for use as ingredients of meat food products shall be considered acceptable for such use only when identified as having been inspected and passed for wholesomeness by either the United States or Pennsylvania Department of Agriculture and are sound and otherwise acceptable when presented for use. Egg products (other than shell eggs) shall be identified as inspected and passed by the United States Department of Agriculture under their regulations for such products. Poultry products and egg products (other than shell eggs) which have not been so inspected and passed for wholesomeness shall not be used in the preparation of such meat food products.

(g) Dry milk products which are intended for use as ingredients of meat food products shall be considered acceptable for such use only when produced in a plant approved by the United States Department of Agriculture under the regulations in 7 CFR, Part 58, and when found to be sound and otherwise acceptable when presented for use. Dry milk products prepared in a plant not so approved shall not be used in the preparation of such meat food products.

(h) All isolated soy protein used in products prepared in any official establishment shall contain not more and not less than 0.1% titanium incorporated as food grade titanium dioxide, and the presence of such substance shall be shown on the label of the container of the isolated soy protein at all times that the article is in the official establishment.

(i) Ingredients for use in any product may not bear or contain any pesticide chemical or other residues in excess of levels permitted in this chapter.

§ 1.327. Approval of substances for use.

(a) No chemical substance may be used in the preparation of any product unless it is approved for such use in this chapter or by the Department in specific cases.

(b) No product shall bear or contain any substance which would render it adulterated or which is not approved for such use in this chapter or by the Department in specific cases.

§ 1.328. Approved substances.

(a) Under appropriate declaration as required in Subchapter H (relating to marking and labeling) the following substances may be added to products:

(1) Common salt, approved sugars (sucrose, cane or beet sugar), maple sugar, dextrose, invert sugar, honey, corn syrup solids, corn syrup and glucose syrup), wood smoke, vinegar, flavorings, spices, sodium nitrate, sodium nitrite, potassium nitrate, potassium nitrite, and other substances specified in the table in subsection (b) of this section, under the conditions, if any, specified in this Subchapter or Subchapter H (relating to marking and labeling).

(2) Other harmless artificial flavorings with the approval of the Department in specific cases.

(3) Coloring matter and dyes other than those specified in the table in subsection (b) of this section may be applied to products, mixed with rendered fat, applied to natural and artificial casings, and applied to such casings enclosing products, if approved by the Department. When any coloring matter or dye is applied to casings, there shall be no penetration of coloring into the product. When any coloring matter or dye is added to meat fat shortening containing artificial flavoring, the product shall be packed in conventional, round shortening containers having a capacity no greater than three pounds.

(b) —

(1) The substances specified in the following table are acceptable for use in the preparation of products if they are used for the purposes indicated, within the limits of the amounts stated and under other conditions specified in this Chapter. In addition to the substances listed in the table, Subchapter J (relating to product standards of identity) specifies other substances that are acceptable in preparing specified products.

<i>Classbeg of Substance</i>	<i>Substance</i>	<i>Purpose</i>	<i>Products</i>	<i>Amount</i>
Anticoagulants	Citric acid Sodium citrate	To prevent clotting	Fresh beef blood	0.2%—with or without water. When water is used to make a solution of citric acid or sodium citrate added to beef blood not more than two parts of water to one part of citric acid or sodium citrate shall be used.
Antifoaming agent	Methyl polysilicone	To retard foaming	Soups Rendered fats Curing pickle	10 parts per million. 10 parts per million. 50 parts per million.
Antioxidants and oxygen interceptors	BHA (butylated hydroxyanisole)	To retard rancidity	Dry sausage	0.003% based on total weight
	BHT (butylated hydroxytoluene).	do	do	do
	Propyl gallate	do	do	do
	BHA (butylated hydroxyanisole).	do	Rendered animal fat or a combination of such fat and vegetable fat.	0.01%
	BHT (butylated hydroxytoluene).	do	do	do
	Glycine	do	do	do
	Nordihydroguaiaretic acid (NDGA)	do	do	do
	Propyl gallate	do	do	do
	Resin guaiac	do	do	do

<i>Classbeg of Substance</i>	<i>Substance</i>	<i>Purpose</i>	<i>Products</i>	<i>Amount</i>
	Tocopherols	do	do	0.03%. A 30% concentration of tocopherols in vegetable oils shall be used when added as an antioxidant to products designated as "lard" or "rendered pork fat."
	BHA (butylated hydroxyanisole)	do	Fresh pork sausage, brown, and serve sausage, pregrilled beef patties, and fresh sausage made from beef or beef and pork.	0.01% based on fat content
	BHT (butylated hydroxytoluene)	do	do	} 0.02% combination based on fat content
	Propyl gallate	do	do	
	BHA (butylated hydroxyanisole)	do	Dried meats	
	BHT (butylated hydroxytoluene)	do	do	} in combination
	Propyl gallate	do	do	

<i>Classbeg of Substance</i>	<i>Substance</i>	<i>Purpose</i>	<i>Products</i>	<i>Amount</i>
Binders	Algin	To extend and stabilize product	Breading mix; sauces.	Sufficient for purpose
	Carrageenan	do	do	do.
	Carboxymethyl cellulose (cellulose gum)	do	Baked pies	do
	Gums, vegetable	do	Egg roll	do
	Methyl cellulose	To extend and to stabilize product (also carrier)	Meat and vegetable patties	0.15%
	Isolated soy protein	To bind and extend product	Imitation sausage; nonspecific loaves; soups; stews.	Sufficient for purpose
Bleaching agent	Sodium caseinate	do	do	do
	Whey (dried)	do	do	do
Catalysts (substances must be eliminated during process)	Hydrogen peroxide	To remove color	Triple (substance must be removed from product by rinsing with clear water)	do
	Nickel	To accelerate chemical reaction	Rendered animal fats or a combination of such fats and vegetable fats	do
	Sodium amide	Rearrangement of fatty acid radicals	do	do
Coloring agents (natural)	Sodium methoxide	do	do	do
	Alkanet, annatto, carotene, cochineal, green chlorophyll, saffron and tumeric	To color casings or rendered fats; marking and branding product	Sausage casings, oleomargarine, shortening, marking or branding ink on product	Sufficient for purpose (may be mixed with approved artificial dyes or harmless inert material such as common salt and sugar)
Coloring agents (artificial)	Coal tar dyes approved under the Federal Food, Drug, and Cosmetic Act (operator must furnish evidence to officer in charge that dye has been certified for use in connection with foods by the Food and Drug Administration)	do	do	Sufficient for purpose (may be mixed with approved natural coloring matters or harmless inert material such as common salt or sugar)
	Titanium dioxide	do	Canned ham salad spread and creamed type canned products	0.5%
Cooling and retort water treatment agents	Calcium chloride	To prevent staining on exterior of canned goods	Any	Sufficient for purpose
	Citric acid	do	do	do
	Diotyl sodium sulfosuccinate	do	do	0.05%
	Disodium-calcium ethylenediamine-tetraacetate	do	do	Sufficient for purpose
	Disodium ethylenediamine-tetraacetate	do	do	do
	Disodium phosphate	do	do	do

<i>Classbeg of Substance</i>	<i>Substance</i>	<i>Purpose</i>	<i>Products</i>	<i>Amount</i>
	Ethylendiamine-tetraacetic acid	do	do	do
	Isopropanol	do	do	0.002%
	Potassium pyrophosphate	do	do	Sufficient for purpose
	Propylene glycol	do	do	do
	Sodium bicarbonate	do	do	do
	Sodium carbonate	do	do	do
	Sodium dodecylbenzene sulfonate	do	do	0.05%
	Sodium gluconate	do	do	Sufficient for purpose
	Sodium hexametaphosphate	do	do	do
	Sodium laurylsulfate	do	do	0.05%
	Sodium metasilicate	do	do	Sufficient for purpose
	Sodium n-alkylbenzene sulfonate (alkyl group predominantly C ₁₂ and C ₁₃ and not less than 95% C ₁₀ to C ₁₆)	do	do	0.05%
	Sodium nitrite (The sodium nitrite must be decharacterized with 0.05% powdered charcoal. Bulk decharacterized sodium nitrite when in cook room shall be held in locked metal bin or container conspicuously labeled "Decharacterized sodium nitrite—To be used by authorized personnel only.")	To inhibit corrosion on exterior of canned goods	do	600 parts per million
	Sodium pyrophosphate	To prevent staining on canned goods	do	0.05%
	Sodium tripolyphosphate	do	do	do
	Zinc oxide	do	do	0.01%
	Zinc sulfate	do	do	do
Curing agents	Ascorbic acid	To accelerate color fixing or preserve color during storage	Cured pork and beef cuts, cured comminuted meat food product	75 ozs. to 100 gals. pickle at 10% pump level ¾ oz. to 100 lbs. meat or meat byproduct; 10% solution to surfaces of cured cuts prior to packaging (the use of such solution shall not result in the addition of a significant amount of moisture to the product)
	Erythorbic acid	do	do	do
	Glucono delta lactone	To accelerate color fixing	Cured, comminuted meat or meat food product	8 ozs. to each 100 lbs. of meat or meat byproduct

<i>Classbeg of Substance</i>	<i>Substance</i>	<i>Purpose</i>	<i>Products</i>	<i>Amount</i>
	Genoa salami	16 ozs. to 100 lbs. of meat (1.0%)		
	Sodium ascorbate	To accelerate color fixing or preserve color during storage	Cured pork and beef cuts, cured, comminuted meat food product	87.5 ozs. to 100 gals. pickle at 10% pump level; 7/8 ozs. to 100 lbs. meat or meat byproduct; 10% solution to surfaces of cured cuts prior to packaging (the use of such solution shall not result in the addition of a significant amount of moisture to the product)
	Sodium erythorbate	do	do	do
	Citric acid or sodium citrate	do	do	May be used in cured products or in 10% solution used to spray surfaces of cured cuts prior to packaging to replace up to 50% of the ascorbic acid, erythorbic acid, sodium ascorbate, or sodium erythorbate that is used
Curing agents (Continued)	Sodium or potassium nitrate	Source of nitrite	Cured products	7 lbs. to 100 gals. pickle; 3½ ozs. to 100 lbs. meat (dry cure); 2¼ ozs. to 100 lbs. chopped meat.
	Sodium or potassium nitrite (supplies of sodium nitrite and potassium nitrite and mixtures containing them must be kept securely under the care of a responsible employee of the establishment. The specific nitrite content of such supplies must be known and clearly marked accordingly)	To fix color	do	2 lbs. to 100 gals. pickle at 10% pump level; 1 oz. to 100 lbs. meat (dry cure); ¼ oz. to 100 lbs. chopped meat and/or meat byproduct. The use of nitrites, nitrates, or combination shall not result in more than 200 parts per million nitrite in finished product.
Denuding agents; may be used in combination. Must be removed from tripe by rinsing with potable water	Lime (calcium oxide, calcium hydroxide)	To denude mucous membrane	Tripe	Sufficient for purpose
	Sodium carbonate	do	do	do
	Sodium gluconate	do	do	do
	Sodium hydroxide	do	do	do
	Sodium metasilicate	do	do	do
	Sodium persulfate	do	do	do
	Trisodium phosphate	do	do	do
Emulsifying agents	Acetylated mono-glycerides	To emulsify product	Shortening	do

<i>Classbeg of Substance</i>	<i>Substance</i>	<i>Purpose</i>	<i>Products</i>	<i>Amount</i>
	Diacetyl tartaric acid esters of mono and diglycerides	do	Rendered animal fat or a combination of such fat with vegetable fat	do
	Glycerol-lacto stearate, oleate, or palmitate	do	do	do
	Lecithin	To emulsify product (also as anti-oxidant)	Oleomargarine, shortening	do
	Mono and diglycerides (glycerol palmitate, etc.)	To emulsify product	Rendered animal fat or a combination of such fat with vegetable fat	Sufficient for purpose in lard and shortening; 0.5% in oleomargarine
	Polyglycerol esters of fatty acids (polyglycerol esters of fatty acids are restricted to those up to and including the decaglycerol esters and otherwise meeting the requirements of 21 CFR § 121.1120(a))	do	Rendered animal fat or a combination of such fat with vegetable fat when use is not precluded by standards of identity or composition	Sufficient for purpose
	Polysorbate 80 (polyoxyethylene (20) sorbitan monooleate)	do	Shortening for use in nonstandardized baked goods, baking mixes, icings, fillings, and toppings and in the frying of foods	1.0% when used alone. If used with polysorbate 60 the combined total shall not exceed 1.0%
	Propylene glycol mono and diesters of fats and fatty acids	do	Rendered animal fat or a combination of such fat with vegetable fat	Sufficient for purpose
	Polysorbate 60 (polyoxyethylene (20) sorbitan monostearate)	do	Shortening for use in nonstandardized baked goods, baking mixes, icings, fillings, and toppings and in the frying of foods	1.0% when used alone. If used with polysorbate 80 the combined total shall not exceed 1.0%
	Steryl-2-lactylic acid	do	Shortening to be used for cake icings and fillings	3.0%
	Steryl monoglyceridyl citrate	do	Shortening	Sufficient for purpose
Flavoring agents; protectors and developers	Program approved artificial smoke flavoring ¹	To flavor product	Any	Sufficient for purpose
	Program approved smoke flavoring ¹	do	do	do
	Autolyzed yeast extract	do	do	do
	Harmless bacteria starters of the acidophilus type, lactic acid starter or culture of <i>Pediococcus cerevisiae</i>	To develop flavor	Dry sausage, pork roll, thuringer, lebanon bologna, cervelat, and salami	0.5%
	Benzoic acid, sodium benzoate	To retard flavor reversion	Oleomargarine	0.1%
	Citric acid	To protect flavor	do	Sufficient for purpose

<i>Classbeg of Substance</i>	<i>Substance</i>	<i>Purpose</i>	<i>Products</i>	<i>Amount</i>
	Corn syrup solids, corn syrup, glucose syrup	To flavor	Chili con carne, sausage, hamburger, meat loaf, luncheon meat, chopped or pressed ham	2.0% individually or collectively, calculated on a dry basis
	Dextrose	To flavor product	Sausage, ham and cured products	Sufficient for purpose
	Diacetyl	do	Oleomargarine	do
	Disodium guanylate	do	do	do
	Disodium inosinate	do	do	do
	Hydrolyzed plant protein	do	Any	do
	Isopropyl citrate	To protect flavor	Oleomargarine	0.02%
	Malt syrup	To flavor product	Cured products	2.5%
	Milk protein hydrolysate	do	Any	Sufficient for purpose
	Monosodium glutamate	do	do	do
	Sodium sulfoacetate derivative of mono and diglycerides	do	do	0.5%
	Sodium tripolyphosphate	To help protect flavor	"Fresh Beef," "Beef for Further Cooking," "Cooked Beef," and similar products which are frozen after processing	do
	Mixtures of sodium tripolyphosphate and sodium hexametaphosphate	do	do	do
	Starter distillate	do	Oleomargarine	Sufficient for purpose
	Stearyl citrate	To protect flavor	do	0.15%
	Sugars (sucrose and dextrose)	To flavor product	Any	Sufficient for purpose
Gases	Carbon dioxide solid (dry ice)	To cool product	Chopping of meat, packaging of product	do
	Nitrogen	To exclude oxygen	Sealed container	do
Hog scald agents; must be removed by subsequent cleaning operations	Caustic soda	To remove hair	Hog carcasses	do
	Dioctyle sodium sulfosuccinate	do	do	do
	Lime	do	do	do
	Methyl polysilicone	do	do	do
	Sodium carbonate	do	do	do
	Sodium dodecylbenzene sulfonate	do	do	do
	Sodium hexametaphosphate	do	do	do
	Sodium lauryl sulfate	do	do	do
	Sodium metasilicate	do	do	do
	Sodium n-alkylbenzene sulfonate (alkyl group predominantly C ₁₂ and C ₁₃ and not less than 95% C ₁₀ to C ₁₆)	do	do	do
	Sodium sulfate	do	do	do
	Sodium tripolyphosphate	do	do	do
	Sucrose	do	do	do

<i>Classbeg of Substance</i>	<i>Substance</i>	<i>Purpose</i>	<i>Products</i>	<i>Amount</i>
Miscellaneous	Trisodium phosphate	do	do	do
	Potassium sorbate	To retard mold growth	Dry sausage	2.5% in water solution may be applied to casings after stuffing or casings may be dipped in solution prior to stuffing
		To preserve product and to retard mold growth	Oleomargarine or margarine	0.1% by weight of the finished oleomargarine or margarine
	Calcium disodium, EDTA (calcium disodium ethylenediaminetetraacetate)	To preserve product and to protect flavor	do	75 parts per million by weight of the finished oleomargarine or margarine.
	Propylparaben (propyl p-hydroxybenzoate)	do	do	3.5% in water solution may be applied to casings after stuffing or casings may be dipped in solution prior to stuffing
	Sodium bicarbonate	To neutralize excess acidity, cleaning vegetables	Rendered fats, soups, curing pickle	Sufficient for purpose.
	Calcium propionate	To retard mold growth	Pizza crust	} 0.32% alone or in combination based on weight of the flour used
	Sodium propionate	do	do	
	Sodium hydroxide	To decrease amount of cooked-out juices	Cured hams, pork shoulder picnics and loins, canned hams and pork shoulder picnics; chopped ham; and bacon	May be used only in combination with phosphates in ratio of 4 parts phosphate to one part sodium hydroxide; the combination shall not exceed 5.0% pickle at 10% pump level; 0.5% in product
	Phosphates	Diosodium phosphate	To decrease amount of cooked-out juices	Cured hams, pork shoulder picnics and loins, and canned hams and pork, shoulder picnics, and products covered by § 1.271 (12), and similar products; chopped ham, and bacon
Monosodium phosphate		do	do	do
Sodium hexameta-phosphate		do	do	do
Sodium tripoly-phosphate		do	do	do
Sodium pyro-phosphate		do	do	do
Sodium acid pyrophosphate		do	do	do

<i>Classbeg of Substance</i>	<i>Substance</i>	<i>Purpose</i>	<i>Products</i>	<i>Amount</i>
Proteolytic enzymes	Aspergillus oryzae	To soften tissue	Beef cuts	Solutions consisting of water, salt, monosodium glutamate, and approved proteolytic enzymes applied or injected into cuts of beef shall not result in a gain of more than 3.0% above the weight of the untreated product.
	Aspergillus flavusoryzae group	do	do	do
	Bromelin	do	do	do
	Ficin	do	do	do
	Papain	do	do	do
Refining agents (must be eliminated during process of manufacturing)	Acetic acid	To separate fatty acids and glycerol	Rendered fats do	Sufficient for purpose
	Bicarbonate of soda Carbon (purified charcoal)	do	do	do
	Caustic soda (sodium hydroxide)	To aid in refining of animal fats	do	do
	Diatomaceous earth; Fuller's earth	To refine fats	do	do
	Sodium carbonate	do	do	do
	Tannic acid	do	do	do
Rendering agents	Tricalcium phosphate	To aid rendering	Animal fats	Sufficient for purpose
	Trisodium phosphate	do	do	do
Artificial sweeteners Synergists (used in combination with antioxidants)	Saccharin	To sweeten product	Bacon	0.01%
	Citric acid	To increase effectiveness of antioxidants	Lard and shortening	0.01% alone or in combination with antioxidants in lard or shortening
			Dry sausage	0.003% in dry sausage in combination with anti-oxidants
			Fresh pork sausage	0.01% on basis of fat content, in combination with antioxidants
			Dried meats	0.01% on basis of total weight in combination with antioxidants
	Malic acid	do	Lard and shortening	do
	Monolsopropyl citrate	To increase effectiveness of antioxidants	Lard, shortening oleomargarine, fresh pork, sausage, dried meats	do
	Phosphoric acid	do	Lard and shortening	0.01%
	Monoglyceride citrate	do	Lard, shortening, fresh pork sausage, dried meats	0.02%

(2) The following substances listed in the table are proprietary products and a list thereof can be obtained from the Technical Services Division, Consumer and Marketing Service, United States Department of Agriculture, Washington, D.C. 20250.

- (i) Program approved artificial smoke flavoring.
- (ii) Program approved smoke flavoring.

Cross References

This section cited in 7 Pa. Code § 1.329 (relating to use of substance which misleads); 7 Pa. Code § 1.391 (relating to corned beef); 7 Pa. Code § 1.396 (relating to chopped ham); 7 Pa. Code § 1.401 (relating to general); and 7 Pa. Code § 1.444 (relating to corned beef hash).

§ 1.329. Use of substance which misleads.

(a) No substance may be used in or on any product if it conceals damage or inferiority or makes the product appear to be better or of greater value than it is.

(b) Paprika or oleoresin paprika may not be used in or on fresh meat (such as steaks) or comminuted fresh meat food products (such as chopped and formed steaks or patties) or in any other meat food products consisting of fresh meat (with or without seasoning), except chorizo sausage and Italian brand sausage, and except other meat food products in which paprika or oleoresin paprika is permitted as an ingredient in a standard of identity or composition in this chapter.

(c) Sorbic acid, calcium sorbate, sodium sorbate, and other salts of sorbic acid may not be used in cooked sausage or any other product; sulfurous acid and salts of sulfurous acid may not be used in or on any product and niacin or nicotinamide may not be used in or on fresh product; except that potassium sorbate, propylparaben (propyl p-hydroxybenzoate), calcium propionate, sodium propionate, benzoic acid, and sodium benzoate may be used in or on any product only as provided in the table in § 1.328 (relating to approved substances) or as approved by the Department in specific cases.

§ 1.330. Samples of products and ingredients.

Samples of products, water, dyes, chemicals, preservatives, spices or other articles in any official establishment shall be taken without cost to the program, for examination, as often as may be deemed necessary for the efficient conduct of the inspection.

§ 1.331. Treatment of pork and products containing pork.

(a) All forms of fresh pork, including fresh unsmoked sausage containing pork muscle tissue, and pork such as bacon and jowls, other than those covered by subsection (b), are classed as products that are customarily well cooked in the home or elsewhere before being served to the consumer. Therefore, the treatment of such products for the destruction of trichinae is not required.

(b) —

(1) The following products and products of the character thereof containing pork muscle tissue (not including pork hearts, pork stomachs and pork livers), or the pork muscle tissue which forms an ingredient of such products, shall be effectively heated, refrigerated or cured to destroy any possible live

trichinae: bologna, frankfurts; viennas; smoked sausage; knoblauch sausage; mortadella; all forms of summer or dried sausage, including mettwurst; ground meat mixtures containing pork and beef, veal, lamb, mutton or goat meat and prepared in such a manner that they might be eaten rare or without thorough cooking; flavored pork sausage such as those containing wine or similar flavoring materials; cured pork sausage; sausage containing cured or smoked pork; cooked loaves; roasted, baked, boiled or cooked hams, pork shoulders, or pork shoulder picnics; Italian-style hams; Westphalia-style hams; smoked boneless pork shoulder butts; cured meat rolls; capocollo (capicola, capicola); coppa; fresh or cured boneless pork shoulder butts, hams, loins, shoulders, shoulder picnics and similar pork cuts in casings or other containers in which ready-to-eat delicatessen articles are customarily enclosed (excepting Scotch-style hams); breaded pork products; cured boneless pork loins; boneless back bacon; bacon used for wrapping around patties, steaks and similar products; and smoked pork cuts such as hams, shoulders, loins and pork shoulder picnics which are specially prepared for distribution in tropical climates or smoked hams delivered to the Armed Services. Cured boneless pork loins shall be subjected to prescribed treatment for destruction of trichinae prior to being shipped from the establishment where cured.

(2) Such treatment shall be performed at the official establishment where the products are prepared and shall consist of one of the following:

- (i) Heating in accordance with § 1.332 (relating to treatment by heating).
- (ii) Refrigerating in accordance with § 1.333 (relating to treatment by refrigerating).
- (iii) Curing in accordance with § 1.334 (relating to treatment by curing).

Cross References

This section cited in 7 Pa. Code § 1.18 (relating to adulteration and misbranding of exempted products); 7 Pa. Code § 1.231 (relating to marking of outside containers—general); and 7 Pa. Code § 1.333 (relating to treatment by refrigerating).

§ 1.332. Treatment by heating.

(a) All parts of the pork muscle tissue shall be heated to a temperature not lower than 137°F and the method used shall be one known to insure such a result. Because of differences in methods of heating and in weights of products undergoing treatment it is impracticable to specify details of procedures for all cases.

(b) Procedures which insure the proper heating of all parts of the product shall be adopted. It is important that each piece of sausage, each ham and other product treated by heating in water be kept entirely submerged throughout the heating period, and that the largest pieces in a lot, the innermost links of bunched sausage or other massed articles, and pieces placed in the coolest part of a heating cabinet or compartment or vat be included in the temperature tests.

Cross References

This section cited in 7 Pa. Code § 1.331 (relating to treatment of pork and products containing pork).

§ 1.333. Treatment by refrigerating.

(a) At any stage of preparation and after preparatory chilling to a temperature of not above 40°F or preparatory freezing, all parts of the muscle tissue of pork or product containing such tissue shall be subjected continuously to a temperature not higher than one of those specified in the following table, the duration of such refrigeration at the specified temperature being dependent on the thickness of the meat or inside dimensions of the container.

<i>REQUIRED PERIOD OF FREEZING AT TEMPERATURE INDICATED</i>		
<u>Temperature (°F.)</u>	<u>Group 1 (days)</u>	<u>Group 2 (days)</u>
5	20	30
-10	10	10
-20	6	12

(b) Group 1 in the table comprises product in separate pieces not exceeding six inches in thickness, or arranged on separate racks with the layers not exceeding six inches in depth, or stored in crates or boxes not exceeding six inches in depth, or stored as solidly frozen blocks not exceeding six inches in thickness.

(c) Group 2 in the table comprises product in pieces, layers or within containers, the thickness of which exceeds six inches but not 27 inches, and product in containers including tierces, barrels, kegs and cartons having a thickness not exceeding 27 inches.

(d) The product undergoing such refrigeration or the containers thereof shall be so spaced while in the freezer as will insure a free circulation of air between the pieces of meat, layers, blocks, boxes, barrels and tierces in order that the temperature of the meat throughout will be promptly reduced to not higher than 5°F., -10°F., or -20°F., as the case may be.

(e) In lieu of the methods prescribed in the table in subsection (a) of this section, the treatment may consist of refrigeration to a temperature of -30°F. in the center of the pieces of meat or commercial freeze drying.

(f) During the period of refrigeration the product shall be kept separate from other products and in the custody of the program in rooms or compartments equipped and made secure with all official program locks or seals. The rooms or compartments containing product undergoing freezing shall be equipped with accurate thermometers placed at or above the highest level at which the product undergoing treatment is stored, and away from refrigerating coils. After completion of the prescribed freezing of pork to be used in the preparation of product

the pork shall be kept under close supervision of an inspector until it is prepared in finished form as one of the products enumerated in § 1.331(b) (relating to treatment of pork and products containing pork) or until it is transferred under program control to another official establishment for preparation in such finished form.

(g) Pork which has been refrigerated as specified in this section may be transferred in sealed railroad cars, sealed motortrucks, sealed trailers or sealed closed containers to another official establishment at the same or another location, for use in the preparation of product. The sealing of closed containers, such as boxes and slack barrels, shall be effected by cording and affixing thereto official program seals, and such containers as tierces and kegs shall be held in program custody by sealing with wax impressed with an official program metal brand. Railroad cars, motortrucks and trailers used to transport such pork shall be sealed with official program car seals except that sealed and marked closed containers may be shipped in unsealed railroad cars, motortrucks and trailers. Shipping containers such as boxes, barrels, and tierces, containing pork refrigerated in accordance with this section shall be plainly and conspicuously marked with a label or stencil furnished by the establishment, as follows: "Pork product ___ degrees F. ___ days' refrigeration," indicating the temperature at which the product was refrigerated and the length of time so treated. For each consignment there shall be promptly issued and forwarded by the inspector to the veterinary supervisor at destination a report by memorandum entitled "Notice of Unmarked Meats Shipped Under Seal," appropriately describing the character of the containers, and that the contents are "Pork product ___ degrees F. ___ days' refrigeration." A duplicate copy shall be retained in the Region file.

Cross References

This section cited in 7 Pa. Code § 1.141 (relating to general requirements); 7 Pa. Code § 1.331 (relating to treatment of pork and products containing pork); and 7 Pa. Code § 1.544 (relating to products requiring special supervision).

§ 1.334. Treatment by curing.

(a) *Sausage.* The sausage may be stuffed in animal casings, hydrocellulose casings, or cloth bags. During any stage of treating the sausage for the destruction of live trichinae, except as provided in Method 5, these coverings shall not be coated with paraffin or like substance, nor shall any sausage be washed during any prescribed period of drying. In the preparation of sausage, one of the following methods may be used:

(1) *Method No. 1.* The meat shall be ground or chopped into pieces not exceeding three-fourths of an inch in diameter. A dry-curing mixture containing not less than 3 1/3 pounds of salt to each hundredweight of the unstuffed sausage shall be thoroughly mixed with the ground or chopped meat. After being stuffed, sausage having a diameter not exceeding 3 1/2 inches, measured

at the time of stuffing, shall be held in a drying room not less than 20 days at a temperature not lower than 45°F, except that in sausage of the variety known as pepperoni, if in casings not exceeding 1 3/8 inches in diameter measured at the time of stuffing, the period of drying may be reduced to 15 days. In no case, however, shall the sausage be released from the drying room in less than 25 days from the time the curing materials are added, except that sausage of the variety known as pepperoni, if in casings not exceeding the size specified, may be released at the expiration of 20 days from the time the curing materials are added. Sausage in casings exceeding 3 1/2 inches, but not exceeding 4 inches in diameter at the time of stuffing, shall be held in a drying room not less than 35 days at a temperature not lower than 45°F, and in no case shall the sausage be released from the drying room in less than 40 days from the time the curing materials are added to the meat.

(2) *Method No. 2.* The meat shall be ground or chopped into pieces not exceeding three-fourths of an inch in diameter. A dry-curing mixture containing not less than 3 1/3 pounds of salt to each hundredweight of the unstuffed sausage shall be thoroughly mixed with the ground or chopped meat. After being stuffed, sausage having a diameter not exceeding 3 1/2 inches, measured at the time of stuffing, shall be smoked not less than 40 hours at a temperature not lower than 80°F, and finally held in a drying room not less than 10 days at a temperature not lower than 45°F. In no case, however, shall the sausage be released from the drying room in less than 18 days from the time the curing materials are added to the meat. Sausage exceeding 3 1/2 inches, but not exceeding 4 inches in diameter at the time of stuffing, shall be held in a drying room, following smoking as indicated, not less than 25 days at a temperature not lower than 45°F, but in no case shall the sausage be released from the drying room in less than 33 days from the time the curing materials are added to the meat.

(3) *Method No. 3.* The meat shall be ground or chopped into pieces not exceeding three-fourths of an inch in diameter. A dry-curing mixture containing not less than 3 1/3 pounds of salt to each hundredweight of the unstuffed sausage shall be thoroughly mixed with the ground or chopped meat. After admixture with the salt and other curing materials and before stuffing, the ground or chopped meat shall be held at a temperature not lower than 34°F for not less than 36 hours. After being stuffed, the sausage shall be held at a temperature not lower than 34°F for an additional period of time sufficient to make a total of not less than 144 hours from the time the curing materials are added to the meat, or the sausage shall be held for the time specified in a pickle-curing medium of not less than 50° strength (salometer reading) at a temperature not lower than 44°F. Finally, sausage having a diameter not exceeding 3 1/2 inches, measured at the time of stuffing, shall be smoked for not less than 12 hours. The temperature of the smokehouse during this period at no time shall be lower than 90°F, and for 4 consecutive hours of this period the smoke-

house shall be maintained at a temperature not lower than 128°F. Sausage exceeding 3 1/2 inches, but not exceeding 4 inches in diameter at the time of stuffing shall be smoked, following the prescribed curing, for not less than 15 hours. The temperature of the smokehouse during the 15-hour period shall at no time be lower than 90°F, and for 7 consecutive hours of this period of smokehouse shall be maintained at a temperature not lower than 128°F. In regulating the temperature of the smokehouse for the treatment of sausage under this method, the temperature of 128°F shall be attained gradually during a period of not less than 4 hours.

(4) *Method No. 4.* The meat shall be ground or chopped into pieces not exceeding one-fourth of an inch in diameter. A dry-curing mixture containing not less than 2 1/2 pounds of salt to each hundredweight of the unstuffed sausage shall be thoroughly mixed with the ground or chopped meat. After admixture with the salt and other curing materials and before stuffing, the ground or chopped sausage shall be held as a compact mass, not more than 6 inches in depth, at a temperature not lower than 36°F for not less than 10 days. At the termination of the holding period, the sausage shall be stuffed in casings or cloth bags not exceeding 3 1/3 inches in diameter, measured at the time of stuffing. After being stuffed, the sausage shall be held in a drying room at a temperature not lower than 45°F for the remainder of a 35-day period, measured from the time the curing materials are added to the meat. At any time after stuffing, if the establishment operator deems it desirable, the product may be heated in a water bath for a period not to exceed 3 hours at a temperature not lower than 85°F, or subject to smoking at a temperature not lower than 80°F, or the product may be both heated and smoked as specified. The time consumed in heating and smoking however, shall be in addition to the 35-day holding period specified.

(5) *Method No. 5.* The meat shall be ground or chopped into pieces not exceeding three-fourths of an inch in diameter. A dry-curing mixture containing not less than 3 1/3 pounds of salt to each hundredweight of the unstuffed sausage shall be thoroughly mixed with the ground or chopped meat. After being stuffed, the sausage shall be held for not less than 65 days at a temperature not lower than 45°F. The coverings for sausage prepared according to this method may be coated at any stage of the preparation before or during the holding period with paraffin or other substance approved by the Department.

(b) *Capocollo (capicola, capicola).* Boneless pork butts for capocollo shall be cured in a dry-curing mixture containing not less than 4 1/2 pounds of salt per hundredweight of meat for a period of not less than 25 days at a temperature not lower than 36°F. If the curing materials are applied to the butts by the process known as churning, a small quantity of pickle may be added. During the curing period the butts may be overhauled according to any of the usual processes of overhauling, including the addition or pickle or dry salt is desired. The butts shall not be subjected during or after curing to any treatment designed to remove salt

from the meat, except that superficial washing may be allowed. After being stuffed, the product shall be smoked for a period of not less than 30 hours at a temperature not lower than 80°F, and shall finally be held in a drying room not less than 20 days at a temperature not lower than 45°F.

(c) *Coppa*. Boneless pork butts for coppa shall be cured in a dry-curing mixture containing not less than 4 1/2 pounds of salt per hundredweight of meat for a period of not less than 18 days at a temperature not lower than 36°F. If the curing mixture is applied to the butts by the process known as churning, a small quantity of pickle may be added. During the curing period the butts may be overhauled according to any of the usual processes of overhauling, including the addition of pickle or dry salt if desired. The butts shall not be subjected during or after curing to any treatment designed to remove salt from the meat, except that superficial washing may be allowed. After being stuffed, the product shall be held in a drying room not less than 35 days at a temperature no lower than 45°F.

(d) *Hams and pork shoulder picnics*. In the curing of hams and pork shoulder picnics either of the following methods may be used:

(1) *Method No. 1*. The hams and pork shoulder picnics shall be cured by a dry-salt curing process not less than 40 days at a temperature not lower than 36°F. The products shall be laid down in salt, not less than 4 pounds to each hundredweight of product, the salt being applied in a thorough manner to the lean meat of each item. When placed in cure the products may be pumped with pickle if desired. At least once during the curing process the products shall be overhauled and additional salt applied, if necessary, so that the lean meat of each item is thoroughly covered. After removal from cure the products may be soaked in water at a temperature not higher than 70°F for not more than 15 hours, during which time the water may be changed once, but they shall not be subjected to any other treatment designed to remove salt from the meat, except that superficial washing may be allowed. The products shall finally be dried or smoked not less than 10 days at a temperature not lower than 95°F.

(2) *Method No. 2*. The products shall be cured by a dry-salt curing process at a temperature not lower than 36°F for a period of not less than 3 days for each pound of weight (green) of the individual items. The time of cure of each lot of such products placed in cure shall be calculated on a basis of the weight of the heaviest item of the lot. Products cured by this method, before they are placed in cure, shall be pumped with pickle solution of not less than 100° strength (salometer), about 4 ounces of the solution being injected into the shank and a like quantity along the flank side of the body bone (femur). The products shall be laid down in salt, not less than 4 pounds of salt to each hundredweight of product, the salt being applied in a thorough manner to the lean meat of each item. At least once during the curing process the products shall be overhauled and additional salt applied, if necessary, so that the lean meat of each item is thoroughly covered. After removal from the cure the product may be soaked in water at a temperature not higher than 70°F for not more than 4

hours, but shall not be subjected to any other treatment designed to remove salt from the meat, except that superficial washing may be allowed. The products shall then be dried or smoked not less than 48 hours at a temperature not lower than 80°F, and finally shall be held in a drying room not less than 20 days at a temperature no lower than 45°F.

(e) —

(1) *Boneless pork loins and loin ends.* In lieu of heating or refrigerating to destroy possible live trichinae in boneless loins, the loins may be cured for a period of not less than 25 days at a temperature not lower than 36°F by the use of one of the following methods:

(i) *Method No. 1.* Application of dry-salt curing mixture containing not less than 5 pounds of salt to each hundredweight of meats.

(ii) *Method No. 2.* Application of a pickle solution of not less than 80° strength (salometer) on the basis of not less than 60 pounds of pickle to each hundredweight of meat.

(iii) *Method No. 3.* Application of a pickle solution added to the dry-salt cure prescribed as Method No. 1 in this subsection if the pickle solution is not less than 80° strength (salometer).

(2) After removal from cure, the loins may be soaked in water for not more than one hour at a temperature not higher than 70°F or washed under a spray but shall not be subjected, during or after the curing process, to any other treatment designed to remove salt.

(3) Following curing, the loins shall be smoked for not less than 12 hours. The minimum temperature of the smokehouse during this period at no time shall be lower than 100°F, and for 4 consecutive hours of this period the smokehouse shall be maintained at a temperature not lower than 125°F.

(4) Finally, the product shall be held in a drying room for a period of not less than 12 days at a temperature not lower than 45°F.

Cross References

This section cited in 7 Pa. Code § 1.331 (relating to treatment of pork and products containing pork).

§ 1.335. Thermometers for treatment facilities.

When necessary to comply with the treatment requirements of this subchapter, the smokehouses, drying rooms, and other compartments used in the treatment of pork to destroy possible live trichinae shall be suitably equipped by the operator of the official establishment with accurate automatic recording thermometers. Veterinary Supervisors are authorized to approve for use in sausage smokehouses, drying rooms, and other compartments, such automatic recording thermometers as are found to give satisfactory service and to disapprove and require discontinuance of use any thermometers (including any automatic recording thermometers) of the establishment that are found to be inaccurate or unreliable.

§ 1.336. Cleaning hermetically sealed containers.

(a) Containers which are intended to be hermetically sealed shall be cleaned thoroughly immediately before filling, and precautions shall be taken to avoid soiling the inner surfaces subsequently. However, cans in which lard is to be hermetically sealed may be examined immediately before filling and if found to be acceptable clean by a program employe need not be washed.

(b) Containers of metal, glass or other material shall be washed in an inverted position with a water spray. The nozzle on the spray attachment shall be of such design and the water delivered with such pressure as will effectively rinse all of the inner surface of each container. Such containers shall not contain an accumulation of water when received at the filling station. In lieu of cleaning with water, the use of efficient jet-vacuum type equipment for cleaning containers is permitted immediately prior to filling.

§ 1.337. Closure of containers; handling.

(a) Nothing less than perfect closure is acceptable for hermetically sealed containers. Heat processing shall follow promptly after closing.

(b) Careful inspection shall be made of the containers by competent establishment employes immediately after closing, and containers which are defectively filled or defectively closed or show inadequate vacuum shall not be processed until the defect has been corrected. The containers shall again be inspected by establishment employes when they have cooled sufficiently for handling after heating. The contents of defective containers shall be condemned unless correction of the defect is accomplished within 6 hours following the sealing of the containers or completion of the heat processing, as the case may be, except that:

(1) if the defective condition is discovered during an afternoon run, the cans of product may be held in coolers at a temperature not exceeding 38°F under conditions that will promptly and effectively chill them until the following day when the defect may be corrected;

(2) short vacuum or overstuffed cans of product which have not been handled in accordance with paragraph (1) may be incubated under program supervision, after which the cans shall be opened and the sound product passed for food; and

(3) short vacuum or overstuffed cans of product of a class required to be labeled "Perishable, Keep Under Refrigeration" and which have been kept under adequate refrigeration since processing may be opened and the sound product passed for food.

(c) Canned products shall not be passed unless after cooling to atmospheric temperature they show the external characteristics of sound cans. The cans shall not be overfilled, they shall have concave sides, excepting the seam side, and all ends shall be concave, there shall be no bulging, the sides and ends shall conform to the product, and there shall be no slack or loose tin.

§ 1.338. Marking canned products; handling.

(a) All canned products shall be plainly and permanently marked on the containers by code or otherwise with the identity of the contents and date of canning. The code used and its meaning shall be on record in the office of the veterinary supervisor.

(b) Canned product shall be processed at such temperature and for such period of time as will assure keeping without refrigeration under usual conditions of storage and transportation when heating is relied on for preservation, with the exception of those canned products which are processed without steam-pressure cooking by permission of the Department in specific cases and labeled "Perishable, Keep Under Refrigeration."

(c) Lots of canned product shall be identified during their handling preparatory to heat processing by tagging the baskets, cages or cans with a tag which will change color on going through the heat processing or by other effective means so as to positively preclude failure to heat after closing.

§ 1.339. Incubation of canned product.

(a) Facilities shall be provided by the operator of the official establishment for incubation of representative samples of fully processed canned product.

(b) Incubation test shall be made to the extent required by the officer in charge. The extent to which incubation tests shall be required depends on conditions such as the record of the official establishment in conducting canning operations, the extent to which the establishment furnishes competent supervision and inspection in connection with the canning operations, the character of the equipment used, and the degree to which such equipment is maintained at maximum efficiency. Such factors shall be considered by the veterinary supervisor in determining the extent of incubation testing at a particular establishment.

(c) In the event of failure by an official establishment to provide suitable facilities for incubation of test samples, the veterinary supervisor may require holding of the entire lot under such conditions and for such period of time as may be necessary to establish the stability of the product.

(d) The veterinary supervisor may permit lots of canned product to be shipped from the official establishment prior to completion of sample incubation when he has no reason to suspect unsoundness in the particular lots, and under circumstances which will assure the return of the product to the establishment for reinspection should such action be indicated by the incubation results.

(e) Incubation shall consist of holding the samples at 95 F (± 2) for no less than ten days except for the following samples:

- (1) Firmly packed products, such as luncheon meat and products with high fat content, such as chorizos packed in lard, and products weighing three pounds or more shall be held at 95 F (± 2) for no less than 20 days.

(2) Products composed of chunks or patties of meat in a medium or sauce wherein the pH of the meat component and the medium or sauce are significantly different shall be incubated at 95 F (± 2) for no less than 30 days.

§ 1.340. Animal food and similar articles.

(a) *Edible product department.* When dog food, or similar uninspected article is manufactured in an edible product department, there shall be sufficient space allotted and adequate equipment provided so that the manufacture of the uninspected article in no way interferes with the handling or preparation of edible products. Where necessary to avoid adulteration of edible product departments, the operations incident to the manufacture of the uninspected article shall be subject to the same sanitary requirements that apply to all operations in edible product departments. The manufacture of the uninspected article shall be limited to those hours during which the establishment operates under inspectional supervision and there shall be no handling, other than receiving at the official establishment, of any of the product ingredient of the uninspected article, other than during the regular hours of inspection. The materials used in the manufacture of the uninspected article shall not be used so as to interfere with the inspection of edible product or the maintenance of sanitary conditions in the department or render any edible product adulterated. The meat, meat byproducts, and meat food product ingredients of the uninspected article may be admitted into any edible products department of an official establishment only if they are "Pa. Inspected and Passed." Products specified in § 1.211 (relating to handling of other condemned products) or parts of carcasses of kinds not permitted under the regulations in this Subchapter to be prepared for human food (e.g., lungs or intestines), which are produced at any official establishment, may be brought into the inedible products department of any official establishment for use in uninspected articles under this section.

(b) *Other than edible product department.* When dog food or similar uninspected article is manufactured in a part of an official establishment other than an edible product department, such area shall be separated from edible product departments in the manner required for separation between edible product departments and inedible product departments. Sufficient space shall be allotted and adequate equipment provided so that the manufacture of the uninspected article does not interfere with the proper functioning of the other operations at the establishment. Except as otherwise provided in this chapter no deviation from the requirement that dead animals, condemned products and similar materials of whatever origin shall be placed in the inedible product rendering equipment without undue delay shall be permitted. The manufacture of the uninspected article shall be such as not to interfere with the maintenance of general sanitary conditions on the premises, and it shall be subject to inspectional supervision similar to that exercised over other inedible product departments. There shall be no movement of any product from an inedible product department to any edible

product department. Trucks, barrels, and other equipment shall be cleaned before being returned to edible product departments from inedible product departments. Unoffensive material prepared outside edible product departments may be stored in and distributed from edible product departments only if packaged in clean, properly identified, sealed containers.

(c) Animal food shall be distinguished from articles of human food as provided in § 1.548 (relating to animal food).

Source

The provisions of this § 1.340 amended September 17, 1971, 1 Pa.B. 1825. Immediately preceding text appears at serial page (1336).

Cross References

This section cited in 7 Pa. Code § 1.296 (relating to certain glands and organs).

§ 1.341. Mixtures not amenable to the act.

Mixtures containing product but not classed as a meat food product under the act shall not bear the inspection legend or any abbreviation or representation thereof. When such mixtures are manufactured in any part of an official establishment, the sanitation of that part of the establishment shall be supervised by program employees, and the manufacture of such mixtures shall not cause any deviation from the requirements of this subchapter.

§ 1.342. Handling of products adulterated by flood water.

(a) Any product at any official establishment which has been adulterated by contamination with flood water, harbor water or other polluted water, shall be condemned, except product in sound, hermetically sealed containers.

(b) After flood water has receded at an official establishment the operator shall cause its employees to thoroughly cleanse all walls, ceilings, posts and floors of the rooms and compartments involved, including the equipment therein, under the supervision of a program employee. An adequate supply of hot water, under pressure, is essential for effective cleansing of the rooms and equipment. After cleansing, a solution of sodium hypochlorite containing approximately .5% available chlorine (5,000 parts per million), or other approved disinfectant shall be applied to the surface of the rooms. Where the solution has been applied to equipment which will afterwards contact meat, the equipment shall be rinsed with potable water before being used. All metal shall be rinsed with potable water to prevent corrosion.

(c) Hermetically sealed metal containers of product which have been submerged or otherwise contaminated by flood water, harbor water, or other polluted water shall be rehandled promptly, under supervision of a program employee at official establishments, as follows:

(1) Separate and condemn all product the containers of which show extensive rusting or corrosion, such as might materially weaken the container, as well as any swollen, leaky or otherwise suspected container.

(2) Remove paper labels and wash the container in warm soapy water, using a brush where necessary to remove rust or other foreign material, immerse in a solution of sodium hypochlorite containing not less than 100 parts per million of available chlorine or other approved disinfectant and rinse in potable water and dry thoroughly.

(3) After handling as described in paragraph (2) the containers may be re-acquired, if necessary, and then relabeled with approved labels applicable to the product therein.

(4) The identity of the canned product shall be maintained throughout all stages of the rehandling operations, to insure correct labeling of the containers.

(d) A list of approved disinfectants is available upon request to the Technical Services Division, Consumer and Marketing Service United States Department of Agriculture, Washington, D.C. 20250.

§ 1.343. Unacceptable chemicals, preservatives and other substances.

When any chemical, preservative, cereal, spice, or other substance is intended for use in an official establishment it shall be examined by a program employe and if found to be unfit or otherwise unacceptable for the use intended, or if final decision regarding acceptance is deferred pending laboratory or other examination, the employee shall attach a "Pa. Retained" tag to the substance or container thereof. The substance so tagged shall be kept separate from other substances as the veterinary supervisor may require and shall not be used until the tag is removed. Such removal shall be made only by a program employe after a finding that the substance can be accepted or, in the case of an acceptable substance, when it is removed from the establishment.

§ 1.344. Pesticide chemicals and other residues in products.

(a) Residues of pesticide chemicals, food additives and color additives or other substances in or on ingredients (other than meat, meat byproducts and meat food products) used in the formulation of products shall not exceed the levels permitted under the Federal Act, and such nonmeat ingredients shall otherwise be in compliance with the requirements of such act.

(b) Products and products used as ingredients of products shall not bear or contain any pesticide chemical, food additive, or color additive residue in excess of the level permitted under the Federal Act and this chapter, or any other substance that is prohibited by this chapter or that otherwise makes the products adulterated.

(c) Instructions specifying the standards and procedures for determining when ingredients of finished products are in compliance with this section shall be

issued to the inspectors by the Department. Copies of such instructions shall be made available to interested persons upon request to the Department.

Subchapter J. PRODUCT STANDARDS OF IDENTITY

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- Sec.
1.361. Labeling and preparation.

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- 1.450. Beans with frankfurters, sauerkraut and similar products.
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Cross References

This subchapter cited in 7 Pa. Code § 1.1 (relating to definitions); 7 Pa. Code § 1.244 (relating to information required on principal display panel); 7 Pa. Code § 1.257 (relating to imitation food); and 7 Pa. Code § 1.328 (relating to approved substances).

GENERAL PROVISIONS**§ 1.361. Labeling and preparation.**

(a) Labels for products for which standards of identity or composition are prescribed in this subchapter shall show the appropriate product name, an ingredient statement, and other label information required by this subchapter and Subchapter H (relating to marking and labeling).

(b) Such products shall be prepared in accordance with the special provisions, if any, in this subchapter and otherwise in accordance with the general provisions in this chapter. Any product for which there is a common or usual name shall consist of ingredients and be prepared by the use of procedures common or usual to such products insofar as specific ingredients or procedures are not prescribed or prohibited by the provisions of this chapter.

RAW MEAT PRODUCTS**§ 1.371. Chopped or ground beef.**

“Chopped Beef” or “Ground Beef” shall consist of chopped fresh or frozen beef with or without seasoning and without the addition of beef fat as such. It shall not contain more than 30% fat and shall not contain added water, binders or extenders. When beef cheek meat (trimmed beef cheeks) is used in the preparation of chopped or ground beef the amount of such cheek meat shall be limited to 25% and, if in excess of natural proportions, its presence shall be declared on the label, either in the ingredient statement if required or contiguous to the name of the product.

Cross References

This section cited in 7 Pa. Code § 1.372 (relating to hamburger); and 7 Pa. Code § 1.374 (relating to fabricated beef steaks and similar products).

§ 1.372. Hamburger.

“Hamburger” shall consist of chopped fresh or frozen beef, with or without the addition of beef fat as such or seasoning. It shall not contain more than 30% fat and shall not contain added water, binders or extenders. Beef cheek meat (trimmed beef cheeks) may be used in the preparation of hamburger only in accordance with the conditions prescribed in § 1.371 (relating to chopped or ground beef).

§ 1.373. Beef patties.

“Beef Patties” shall consist of chopped fresh or frozen beef, with or without the addition of beef fat as such or seasonings. Binders or extenders or partially defatted beef fatty tissue may be used without added water or with added water only in amounts such that the characteristics of the product are essentially that of a meat pattie.

§ 1.374. Fabricated beef steaks and similar products.

Fabricated beef steaks, veal steaks, beef and veal steaks, or veal and beef steaks and similar products, such as those labeled “Beef Steak, Chopped, Shaped, Frozen,” “Minute Steak, Formed, Wafer Sliced, Frozen,” “Veal Steaks, Beef Added, Chopped—Molded—Cubed—Frozen, Hydrolized Plant Protein, Flavoring” shall be prepared by comminuting and forming the product from fresh or frozen meat, with or without added fat, of the species indicated on the label. Such products shall not contain more than 30% fat and shall not contain added water, binders or extenders. Beef cheek meat (trimmed beef cheeks) may be used in the preparation of fabricated beef steaks only in accordance with the conditions prescribed in § 1.371 (relating to chopped or ground beef).

§ 1.375. Partially defatted beef fatty tissue.

“Partially Defatted Beef Fatty Tissue” is a beef byproduct derived from the low temperature rendering (not exceeding 120°F) of fresh beef fatty tissue. Such product shall have a pinkish color and a fresh odor and appearance.

§ 1.376. Partially defatted pork fatty tissue.

“Partially Defatted Pork Fatty Tissue” is a pork byproduct derived from the low temperature rendering (not exceeding 120°F) of fresh pork fatty tissue, exclusive of skin. Such product shall have a pinkish color and a fresh odor and appearance.

COOKED MEATS**§ 1.381. Barbecued meats.**

Barbecued meats, such as product labeled “Beef Barbecue” or “Barbecued Pork,” shall be cooked by the direct action of dry heat resulting from the burning of hard wood or the hot coals therefrom for a sufficient period to assume the usual characteristics of a barbecued article, which include the formation of a brown crust on the surface and the rendering of surface fat. The product may be basted with a sauce during the cooking process. The weight of barbecued meat shall not exceed 70% of the weight of the fresh uncooked meat.

§ 1.382. Roast beef parboiled and steam roasted.

“Roast Beef Parboiled and Steam Roasted” shall be prepared so that the weight of the finished product, excluding salt and flavoring material, shall not exceed 70% of the fresh beef weight. Beef cheek meat and beef head meat from which the overlying glandular and connective tissues have been removed, and beef heart meat, exclusive of the heart cap, may be used individually or collectively to the extent of 5% of the meat ingredients in the preparation of canned product labeled “Roast Beef Parboiled and Steam Roasted.” When beef cheek meat, beef head meat or beef heart meat are used in the preparation of the product, its presence shall be reflected in the statement of ingredients.

Cross References

This section cited in 7 Pa. Code § 1.391 (relating to corned beef).

CURED MEATS**§ 1.391. Corned beef.**

(a) “Corned Beef” shall be prepared from beef briskets, navels, clods, middle ribs, rounds, rumps, or similar cuts using one or a combination of the curing ingredients specified in § 1.328 (relating to approved substances).

(b) Canned product labeled “Corned Beef” shall be prepared so that the weight of the finished product, excluding cure, salt and flavoring material, shall not exceed 70% of the fresh beef weight.

(c) Corned beef other than canned shall be cured in pieces weighing not less than one pound, and if cooked, its weight shall not exceed the weight of the fresh uncured beef.

(d) Beef cheek meat, beef head meat and beef heart meat may be used to the extent of 5% of the meat ingredient in preparation of this product when trimmed as specified in § 1.382 (relating to roast beef parboiled and steam roasted). When beef cheek meat, beef head meat, or beef heart meat are used its presence shall be reflected in the statement of ingredients. The application of curing solution to beef cuts, other than briskets, which are intended for bulk corned beef shall not result in an increase in the weight of the finished cured product of more than 10% over the weight of the fresh uncured meat.

§ 1.392. Corned beef brisket.

In preparing “Corned Beef Brisket,” the application of curing solution to the beef brisket shall not result in an increase in the weight of the finished cured product of more than 20% over the weight of the fresh uncured brisket. If the product is cooked, the weight of the finished product shall not exceed the weight of the fresh uncured brisket.

§ 1.393. Corned beef round and other cuts.

In preparing “Corned Beef Round” and other corned beef cuts, except “Corned Beef Briskets,” the curing solution shall be applied to pieces of beef weighing not less than one pound and such application shall not result in an increased weight of the cured beef product of more than 10% over the weight of the fresh uncured beef cut. If the product is cooked, the weight of the finished product shall not exceed the weight of the fresh uncured beef cut.

§ 1.394. Cured beef tongue.

In preparing “Cured Beef Tongue,” the application of curing solution to the fresh beef tongue shall not result in an increase in the weight of the cured beef tongue of more than 10% over the weight of the fresh uncured beef tongue.

§ 1.395. Miscellaneous pork products.

(a) *Unsmoked products.* Cured unsmoked, “Boneless Pork Shoulder,” “Boneless Pork Shoulder Butts,” or pieces of pork loin in casings or similar containers of consumer size, shall not contain more than 10% added substances as a result of the curing process.

(b) *Smoked products.* The weight of any smoked products such as “Ham,” “Pork Shoulder,” “Pork Shoulder Picnic,” “Pork Shoulder Butt” or similar products, except such products prepared for canning, shall not exceed the weight of the fresh uncured article.

(c) *Other cooked products.* The preparation of any cooked, cured products, such as “Ham,” “Pork Shoulder,” “Pork Shoulder Picnic,” “Pork Shoulder Butt,” and “Pork Loin” or similar products, either by moist or dry heat (except such products prepared for canning), shall not result in the finished cooked product weighing more than the fresh uncured article.

(d) *Water added products.* Products resembling standardized ham, and smoked products and other pork products which do not comply with subsection (b) or (c) because they contain added water not in excess of 10% of the weight of the fresh, uncured products, shall bear on their labels the term “Water Added” as a part of the product name. Such declaration shall be in prominent lettering not less than three-eighths inch in height, and if not placed in a consumer-size package labeled in accordance with this chapter, shall be marked with the term “Water Added” the full length of the product. However, the Department may approve smaller lettering for labels of small packages, such as 4-ounce packages, when it finds that the size and style of the lettering in connection with the product name are such as to insure the prominence of the required terms. The qualifying phrase “Up to 10%” or equivalent phrase may be used in labeling such products in connection with the term “Water Added” at the option of the operator of the establishment, if the qualifying phrase does not detract from the prominence of the term “Water Added.”

(e) *Canned products.* The preparation of any canned products such as “Ham,” “Pork Shoulder Picnic,” or similar products, shall not result in an increase in weight of more than 8% over the weight of the fresh uncured article.

(f) *Pressed ham and similar products.* “Pressed Ham,” “Pressed Ham with Natural Juices,” “Spiced Ham,” and similar products may contain finely chopped ham shank meat to the extent of 25% over that normally present in the boneless ham. The weight of the cured chopped ham prior to processing shall not exceed the weight of the fresh uncured ham, exclusive of the bone and fat removed in the boning operation, plus the weight of the curing ingredients and 3.0% moisture.

§ 1.396. Chopped ham.

(a) “Chopped Ham” is a semisolid meat food product in the form of a compact mass with a limited amount of cooked out juices, which is prepared with ham, curing agents, seasonings, and any of the optional ingredients listed in subsection (b) of this section in accordance with the following provisions:

(1) Fresh ham, cured ham or smoked ham, or a mixture of two or more of such meat components may be used. The weight of the cured chopped ham prior to processing shall not exceed the weight of the fresh uncured ham and

fresh uncured ham shank meat, if any is used (exclusive of the bones and fat removed in the boning operations) plus the weight of the curing ingredients and 3% moisture.

(2) The curing agents that may be used, singly or in combination, are salt, sodium nitrate, sodium nitrite, potassium nitrate and potassium nitrite. When sodium nitrate, sodium nitrite, potassium nitrate, or potassium nitrite is used, singly or in combination, the amount thereof shall not exceed that permitted in § 1.328(b) (relating to approved substances).

(3) The seasonings that may be used, singly or in combination, are salt, sugar (sucrose or dextrose), spice and flavoring, including essential oils, oleo-resins and other spice extractives.

(b) Chopped ham may contain one or more of the following optional ingredients:

(1) Finely chopped ham shank meat (fresh, cured or smoked, or a combination thereof) to the extent of not more than 25% over that normally present in the boneless ham.

(2) Water for the purpose of dissolving the curing agents and not in excess of that permitted in subsection (a)(1).

(3) Monosodium glutamate.

(4) Hydrolyzed plant protein.

(5) Corn syrup solids, corn syrup and glucose syrup, singly or in combination, in an amount not to exceed 2% (calculated on a dry basis) of all the ingredients used in preparing the chopped ham.

(6) Disodium phosphate, sodium hexametaphosphate, sodium tripolyphosphate, sodium pyrophosphate, and sodium acid pyrophosphate, singly or in combination, in an amount not to exceed that permitted in § 1.328(b).

(7) Ascorbic acid, sodium ascorbate, isoascorbic acid or sodium isoascorbate in an amount not to exceed that permitted in § 1.328(b).

(8) Dehydrated onions or onion powder.

(9) Dehydrated garlic or garlic powder.

SAUSAGE

§ 1.401. General.

(a) Except as otherwise provided in this subchapter or under the act with respect to products consisting partly of poultry, sausage is the coarse or finely comminuted meat food product prepared from one or more kinds of meat, or meat and meat byproducts, containing various amounts of water and usually seasoned with condimented proportions of condimental substances, and frequently cured. Certain sausage may contain binders and extenders, such as cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, isolated soy protein, nonfat dry milk, calcium reduced skim milk or dried milk.

(b) The finished product shall contain no more than 3.5% of these additives individually or collectively. Two percent of isolated soy protein shall be deemed equivalent to 3.5% of any one or more of these binders.

(c) Sausage may not contain phosphates except that uncooked pork from cuts cured with phosphates listed in § 1.328(b) (relating to approved substances) may be used in cooked sausage.

§ 1.402. Fresh pork sausage.

“Fresh Pork Sausage” is sausage prepared with fresh pork or frozen pork, or both, not including pork byproducts and it may be seasoned with condimental substances as permitted in Subchapter I (relating to entry, reinspection and preparation of products). It shall not be made with any lot of product which, in the aggregate, contains more than 50% trimmable fat, that is fat which can be removed by thorough, practicable trimming and sorting. To facilitate chopping or mixing, water or ice may be used in an amount not to exceed 3.0% of the total ingredients used.

§ 1.403. Fresh beef sausage.

“Fresh beef sausage” is sausage prepared with fresh beef or frozen beef or both, not including beef byproducts, and may be seasoned with condimental substances as permitted in Subchapter I (relating to entry, reinspection and preparation of products). The finished product shall not contain more than 30% fat. To facilitate chopping or mixing, water or ice may be used in an amount not to exceed 3.0% of the total ingredients used.

§ 1.404. Breakfast sausage.

“Breakfast Sausage” is sausage prepared with fresh or frozen meat, or meat and meat byproducts and may be seasoned with condimental substances as permitted in Subchapter I (relating to entry, reinspection and preparation of products). It shall not be made with any lot of product which, in the aggregate, contains more than 50% trimmable fat, that is fat which can be removed by thorough practicable trimming and sorting. To facilitate chopping or mixing, water or ice may be used in an amount not to exceed 3.0% of the total ingredients used. Extenders or binders may be used as permitted in Subchapter I to the extent of 3.5% of the finished sausage.

§ 1.405. Whole hog sausage.

“Whole Hog Sausage” is sausage prepared with fresh or frozen meat from swine in such proportions as are normal to a single animal and may be seasoned with condimental substances as permitted in Subchapter I (relating to entry, reinspection and preparation of products). It shall not be made with any lot of product which, in the aggregate, contains more than 50% trimmable fat, that is fat which can be removed by thorough practicable trimming and sorting. To facili-

tate chopping or mixing, water or ice may be used in an amount not to exceed 3% of the total ingredients used.

§ 1.406. Smoked pork sausage.

“Smoked Pork Sausage” is pork sausage that is smoked with hardwood or other approved nonresinous materials and may be seasoned with condimental substances as permitted in Subchapter I (relating to entry, reinspection and preparation of products). It shall not be made with any lot of product which, in the aggregate, contains more than 50% trimmable fat, that is, fat which can be removed by thorough practicable trimming and sorting. To facilitate chopping or mixing, water or ice may be used in an amount not to exceed 3% of the total ingredients used.

§ 1.407. Frankfurter, wiener, vienna, bologna and similar products.

(a) “Frankfurter,” “Wiener,” “Vienna,” “Bologna,” “Garlic Bologna,” “Knockwurst,” and similar sausages are comminuted semisolid meat food products which are prepared from one or more kinds of meat, or meat and meat byproducts, poultry products, and other ingredients, seasoned and cured using one or more curing agents as permitted in Subchapter I (relating to entry, reinspection and preparation of products). The finished products shall not contain more than 30% fat. Water or ice may be used to facilitate chopping or mixing or to dissolve the curing ingredients, but the sausage shall contain no more than 10% of added water.

(b) One or more of the following binders or extenders may be used, which individually or collectively shall not exceed 3.5% of the total ingredients in the sausage, except that 2% isolated soy protein shall be deemed to be the equivalent of 3.5% of any one or more of the other binders: dried milk, nonfat dry milk, calcium reduced dried skim milk, cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, and isolated soy protein. Partially defatted pork fatty tissue or partially defatted beef fatty tissue or a combination of both may be used in an amount not exceeding 15% of the meat and meat byproduct ingredients.

(c) These products may contain uncooked cured pork which does not contain any phosphates or contains only phosphates permitted by this chapter.

(d) These sausage products also may contain poultry products which, individually or in combination, are not in excess of 15% of the total ingredients excluding water, in the sausage. The poultry products shall be free of kidneys and sex glands, and the amount of skin present shall not exceed the natural proportion of skin present on the whole carcass of the kind of poultry used in the sausage, as specified in the regulations under the act. For purposes of this section poultry products means chicken or turkey, chicken or turkey meat, or chicken or turkey byproducts as defined in the regulations under the act. They shall be des-

igned in the ingredient statement on the label of such sausage in accordance with the provisions of such regulations.

(e) Sausage products within this section if labeled “all meat” shall contain only beef, pork, veal, mutton, lamb or goat meat, chicken or turkey meat or any combination thereof, and condiments, curing agents and water as permitted by this chapter. If labeled “all (species),” such as “All Beef Franks” or “All Pork Franks,” these sausages shall contain only meat of the specified species, with condiments, curing agents, and water as permitted by this chapter.

§ 1.408. Cheesefurters and similar products.

(a) “Cheesefurters” and similar products are products in casings which resemble frankfurters except that they contain sufficient cheese to give definite characteristics to the finished article. They may contain cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, isolated soy protein, nonfat dry milk, calcium reduced skim milk or dried milk. The finished product shall contain no more than 3.5% of these additives, individually and collectively, exclusive of the cheese constituent.

(b) In determining the maximum amount of the ingredients specified in this section which may be used in a product, 2% isolated soy protein shall be considered the equivalent of 3.5% of any other ingredient specified in this section. When any such additive is added to these products, there shall appear on the label in a prominent manner, contiguous to the name of the product, the name of each such added ingredient, as for example, “Cereal Added,” “With Cereal,” “Potato Flour Added,” “Cereal and Potato Flour Added,” “Soy Flour Added,” “Nonfat Dry Milk Added,” “Cereal and Nonfat Dry Milk Added,” as the case may be. These products shall contain no more than 10% of added water or ice, 30% fat and shall comply with the other provisions for cooked sausages in this Subchapter.

§ 1.409. Liver sausage and similar products.

“Liver Sausage” and “Braunschweiger” are sausages made from fresh or frozen pork and livers of livestock and may contain cured pork, beef and veal, and pork fat. Liver sausage may also contain beef and pork byproducts and pork skins. These products shall contain not less than 30% liver computed on the weight of the fresh liver.

LUNCHEON MEAT, LOAVES, JELLIED PRODUCTS

§ 1.421. Luncheon meat.

“Luncheon Meat” is a cured, cooked meat food product made from comminuted meat. To facilitate chopping or mixing or to dissolve the usual curing ingredients, water or ice may be used in the preparation of luncheon meat in an amount not to exceed 3% of the total ingredients.

§ 1.422. Meat loaf.

“Meat Loaf” is a cooked meat food product in loaf form made from comminuted meat. To facilitate chopping or mixing, water or ice may be used in an amount not to exceed 3% of the total ingredients used.

COOKED MEAT SPECIALTIES, PUDDINGS, NONSPECIFIC LOAVES**§ 1.431. Scrapple.**

“Scrapple” shall contain not less than 40% meat or meat byproducts computed on the basis of the fresh weight, exclusive of bone. The meal or flour used may be derived from grain or soybeans.

CANNED, FROZEN, DEHYDRATED MEAT FOOD PRODUCTS**§ 1.441. Chili con carne.**

“Chili Con Carne” shall contain not less than 40% meat computed on the weight of the fresh meat. Head meat, cheek meat and heart meat, exclusive of the heart cap, may be used to the extent of 25% of the meat ingredients under specific declaration on the label. The mixture may contain not more than 8.0%, individually or collectively, cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, isolated soy protein, dried milk, nonfat dry milk or calcium reduced dried skim milk.

§ 1.442. Chile con carne with beans.

“Chile Con Carne with Beans” shall contain not less than 25% meat computed on the weight of the fresh meat. Head meat, cheek meat or heart meat, exclusive of the heart cap, may be used to the extent of 25% of the meat ingredient, and its presence shall be reflected in the statement of ingredients required by § 1.229 (relating to marking of sausages and similar products).

§ 1.443. Hash.

“Hash” shall contain not less than 35% meat computed on the weight of the cooked and trimmed meat. The weight of the cooked meat used in this calculation shall not exceed 70% of the weight of the uncooked fresh meat.

§ 1.444. Corned beef hash.

(a) “Corned Beef Hash” is the semisolid food product in the form of a compact mass which is prepared with beef, potatoes, curing agents, seasonings, and any of the optional ingredients listed in subsection (b) in accordance with the following provisions:

- (1) Either fresh beef, cured beef or canned corned beef or a mixture of two or more of these ingredients may be used, and the finished product shall con-

tain not less than 35% beef computed on the weight of the cooked and trimmed beef. The weight of the cooked meat used in this calculation shall not exceed 70% of the weight of the uncooked fresh meat.

(2) "Potatoes" refers to fresh potatoes, dehydrated potatoes, cooked dehydrated potatoes or a mixture of two or more of these ingredients.

(3) The curing agents that may be used are salt, sodium nitrate, sodium nitrite, potassium nitrate, or potassium nitrite, or a combination of two or more of these ingredients. When sodium nitrate, sodium nitrite, potassium nitrate or potassium nitrite is used the amount thereof shall not exceed that permitted in § 1.328(b) (relating to approved substances).

(4) The seasonings that may be used, singly or in combination, are salt, sugar (sucrose or dextrose), spice and flavoring, including essential oils, oleoresins and other spice extractives.

(b) Corned beef hash may contain one or more of the following optional ingredients:

(1) Beef cheek meat and beef head meat from which the overlying glandular and connective tissues have been removed and beef heart meat, exclusive of the heart cap, may be used individually or collectively to the extent of 5% of the meat ingredients;

(2) Onions, including fresh onions, dehydrated onions or onion powder.

(3) Garlic, including fresh garlic, dehydrated garlic or garlic powder.

(4) Water.

(5) Beef broth or beef stock.

(6) Monosodium glutamate.

(7) Hydrolyzed plant protein.

(8) Beef fat.

(c) The finished product shall not contain more than 15% fat nor more than 72% moisture.

(d) Corned beef hash shall be labeled in the following manner:

(1) When any optional ingredient specified in subsection (b) is used the label shall bear the following applicable statement: "Beef cheek meat constitutes 5 percent of the meat ingredient," or "Beef head meat constitutes 5 percent of the meat ingredient," or "Beef heart meat constitutes 5 percent of the meat ingredient." When two or more of the ingredients are used, the words "Constitutes 5 percent of meat ingredient" need only appear once.

(2) Whenever the words "corned beef hash" are featured on the label so conspicuously as to identify the contents, the statements prescribed in paragraph (1) shall immediately and conspicuously precede or follow such name without intervening written, printed or other graphic matter.

§ 1.445. Meat stews.

Meat stews such as “Beef Stew” or “Lamb Stew” shall contain not less than 25% meat of the species named on the label, computed on the weight of the fresh meat.

§ 1.446. Tamales.

“Tamales” shall be prepared with at least 25% meat computed on the weight of the uncooked fresh meat in relation to all ingredients of the tamales. When tamales are packed in sauce or gravy, the name of the product shall include a prominent reference to the sauce or gravy, such as “Tamales With Sauce” or “Tamales With Gravy.” Products labeled “Tamales With Sauce” or “Tamales With Gravy” shall contain not less than 20% meat, computed on the weight of the uncooked fresh meat in relation to the total ingredients making up the tamales and sauce or the tamales and gravy.

§ 1.447. Spaghetti with meat balls and the like.

“Spaghetti with Meat Balls and Sauce” and “Spaghetti with Meat and Sauce,” and similar products shall contain not less than 12% meat computed on the weight of the fresh meat. The presence of the sauce or gravy constituent shall be declared prominently on the label as part of the name of the product. Meat balls may be prepared with not more than 12% farinaceous material, soy flour, soy protein concentrate, isolated soy protein, nonfat dry milk, calcium reduced dried skim milk and similar substances, singly and collectively.

§ 1.448. Spaghetti sauce with meat.

“Spaghetti Sauce with Meat” shall contain not less than 6.0% meat computed on the weight of the fresh meat.

§ 1.449. Tripe with milk.

“Tripe with Milk” shall be prepared so that the finished canned article, exclusive of the cooked-out juices and milk, contains at least 65% tripe. The product shall be prepared with not less than 10% milk.

§ 1.450. Beans with frankfurters, sauerkraut and similar products.

“Beans with Frankfurters in Sauce,” “Sauerkraut with Wieners and Juice,” and similar products shall contain not less than 20% frankfurters or wieners computed on the weight of the smoked and cooked sausage prior to its inclusion with the beans or sauerkraut.

§ 1.451. Beans with ham or bacon and the like.

“Lima Beans with Ham in Sauce,” “Beans with Ham in Sauce,” “Beans with Bacon in Sauce,” and similar products shall contain not less than 12% ham or bacon computed on the weight of the smoked ham or bacon prior to its inclusion with the beans and sauce.

§ 1.452. Chow mein or chop suey vegetables with meat.

“Chow Mein Vegetables with Meat” and “Chop Suey Vegetables with Meat” shall contain not less than 12% meat computed on the weight of the uncooked fresh meat prior to its inclusion with the other ingredients.

§ 1.453. Pork or beef with barbecue sauce.

“Pork with Barbecue Sauce” and “Beef with Barbecue Sauce” shall contain not less than 50% meat of the species specified on the label, computed on the weight of the cooked and trimmed meat. The weight of the cooked meat used in this calculation shall not exceed 70% of the uncooked weight of the meat. If uncooked meat is used in formulating the products, they shall contain at least 72% meat computed on the weight of the fresh uncooked meat. When cereal, vegetable flour, soy flour, soy protein concentrate, isolated soy protein, nonfat dry milk, calcium reduced dried skim milk or similar substances are used in preparing products, there shall appear on the label in a prominent manner, the name of the product and each such added ingredient, as for example “Cereal Added” or “With Cereal and Nonfat Dry Milk.”

§ 1.454. Beef with gravy.

“Beef with Gravy” and “Gravy with Beef” shall not be made with beef which in the aggregate for each lot contains more than 30% trimmable fat, that is fat which can be removed by thorough, practicable trimming and sorting.

MEAT FOOD ENTREES, PIES AND TURNOVERS**§ 1.461. Meat pies.**

Meat pies such as “Beef Pie,” “Veal Pie,” and “Pork Pie” shall contain meat of the species specified on the label, in an amount not less than 25% of all ingredients including crust and shall be computed on the basis of the fresh uncooked meat.

MEAT SNACKS, PIZZA AND SPECIALTY ITEMS**§ 1.471. Pizza.**

(a) "Pizza with Meat" is a bread base meat food product with tomato sauce, cheese and meat topping. It shall contain cooked meat made from not less than 15% raw meat.

(b) "Pizza with Sausage" is a bread base meat food product with tomato sauce, cheese and not less than 12% cooked sausage or 10% dry sausage, such as pepperoni.

FATS, OILS, SHORTENINGS**§ 1.481. Mixed fat shortening.**

Shortening prepared with a mixture of meat fats and vegetable oils may be identified either as "Shortening Prepared with Meat Fats and Vegetable Oils" or "Shortening Prepared with Vegetables Oils and Meat Fats" depending on the predominance of the fat and oils used, or the product may be labeled "Shortening" when accompanied by an ingredient statement with ingredients listed in descending order of predominance.

§ 1.482. Lard and leaf lard.

(a) "Lard" is the fat rendered from fresh, clean, sound fatty tissue from hogs with or without lard stearin or hydrogenated lard. The fatty tissues shall not include bones, detached skin, head skin, ears, tails, organs, windpipes, large blood vessels, scrap fat, skimmings, settlings, pressings, and similar materials, and the fatty tissues shall be reasonably free from muscle tissue and blood.

(b) "Leaf Lard" is lard prepared from fresh leaf fat.

Cross References

This section cited in 7 Pa. Code § 1.217 (relating to rendering products passed for cooking; lard, pork fat and tallow).

§ 1.483. Rendered animal fat or mixture thereof.

(a) "Rendered Animal Fat" or any mixture of fats containing edible rendered animal fat shall contain no added water, except that "Puff Pastry Shortening" may contain not more than 10% water.

(b) "Rendered Pork Fat" is fat, other than lard, rendered from clean, sound carcasses, parts of carcasses, or edible organs from hogs, except that stomachs, bones from the head and bones from cured or cooked pork shall not be included. The tissues rendered are usually fresh, but may be cured, cooked or otherwise prepared and may contain some meat food products. Rendered pork fat may be hardened by the use of lard stearin, hydrogenated lard, rendered pork fat stearin or hydrogenated rendered pork fat.

Cross References

This section cited in 7 Pa. Code § 1.217 (relating to rendering products passed for cooking; lard, pork fat and tallow).

SOUPS, BROTHS AND SIMILAR PRODUCTS**§ 1.491. Meat extract.**

Meat extract, such as “Beef Extract,” shall not contain more than 25% moisture.

§ 1.492. Fluid extract of meat.

Fluid extract of meat, such as “Fluid Extract of Beef,” shall not contain more than 50% moisture.

MEAT SALADS AND SPREADS**§ 1.501. Deviled ham, tongue and the like.**

(a) “Deviled Ham” is a semiplastic cured meat food product made from finely comminuted ham and containing condiments. Deviled ham may contain added ham fat but the total fat content shall not exceed 35% the finished product. The moisture content of deviled ham shall not exceed that of the fresh unprocessed meat.

(b) The moisture content of “Deviled Tongue” and similar products shall not exceed that of the fresh, unprocessed meat.

§ 1.502. Potted or deviled meat food product.

“Potted Meat Food Product” and “Deviled Meat Food Product” shall not contain cereal, vegetable flour, nonfat dry milk, or similar substances. The amount of water added to potted meat food product and deviled meat food product shall be limited to that necessary to replace moisture lost during processing.

§ 1.503. Ham spread, tongue spread and the like.

“Ham Spread,” “Tongue Spread,” and similar products shall contain not less than 50% of the meat ingredient named, computed on the weight of the fresh meat. Other meat and fat may be used to give the desired spreading consistency provided it does not detract from the character of the spreads named.

MISCELLANEOUS PRODUCTS**§ 1.511. Breaded products.**

The amount of batter and breading used as a coating for breaded product shall not exceed 30% of the weight of the finished breaded product.

§ 1.512. Liver meat food products.

Meat food products characterized and labeled as liver products, such as liver loaf, liver cheese, liver spread, liver paste, and liver pudding shall not contain less than 30% livers of livestock computed on the fresh weight of the livers.

Subchapter K. RECORDS, REGISTRATION AND REPORTS

Sec.

- 1.521. Persons required to keep records.
- 1.522. Required records.
- 1.523. Location of records.
- 1.524. Record retention period.
- 1.525. Access to and inspection of records.
- 1.526. Registration.
- 1.527. Information required from official establishment operators.
- 1.528. Reports by consignees of allegedly adulterated or misbranded products.

Cross References

This subchapter cited in 7 Pa. Code § 1.32 (relating to access to establishments).

§ 1.521. Persons required to keep records.

The following persons shall keep records which will fully and correctly disclose all transactions involved in his business subject to the act:

- (1) Any person who engages for commerce in the business of slaughtering any cattle, sheep, swine, or goats, or preparing, freezing, packaging, or labeling any carcasses, or parts or products of carcasses of any such animals, for use as human food or animal food.
- (2) Any person who engages in the business of buying or selling, such as a meat broker, wholesaler or otherwise, or transporting in commerce, or storing in or for commerce, or importing any carcasses, or parts or products of carcasses of any such animals.
- (3) Any person who engages in business for commerce as a renderer, or engages in the business of buying, selling or transporting in commerce, or importing any dead, dying, disabled or diseased cattle, sheep, swine or goats, or parts of the carcasses of any such animals that died otherwise than by slaughter.

Cross References

This section cited in 7 Pa. Code § 1.522 (relating to required records).

§ 1.522. Required records.

Persons specified in § 1.521 (relating to persons required to keep records) shall maintain the following:

(1) Records, such as bills of sale, invoices, bills of lading and receiving and shipping papers, giving the following information with respect to each transaction in which any livestock or carcass, part thereof, meat or meat food product is purchased, sold, shipped, received, transported or otherwise handled by such person in connection with any business subject to the act:

- (i) The name or description of the livestock or article.
- (ii) The net weight of the livestock or article.
- (iii) The number of shipping containers (if any).
- (iv) The name and address of the buyer of livestock or articles sold by such person, and the name and address of the seller of livestock or articles purchased by such person.
- (v) The name and address of the consignee or receiver (if other than the buyer).
- (vi) The method of shipment.
- (vii) The date of shipment.
- (viii) The name and address of the carrier.

(2) Shipper's certificates and permits required to be kept by shippers and carriers of articles under Subchapter L (relating to transportation).

§ 1.523. Location of records.

Persons required to keep records shall maintain them at the place where his business is conducted except that if such person conducts his business at multiple locations, he may maintain the records at his headquarters office. When not in actual use, all such records shall be kept in a safe place at the prescribed location in accordance with good commercial practices.

§ 1.524. Record retention period.

Every record required to be maintained under this subchapter shall be retained for a period of 2 years after December 31 of the year in which the transaction to which the record relates has occurred and for such further period as the Department may require for purposes of any investigation or litigation under the act, by written notice to the person required to keep such records.

§ 1.525. Access to and inspection of records.

Every person required to maintain records shall, upon the presentation of official credentials by any duly authorized representative of the Department during ordinary business hours, permit such representative to enter his place of business and examine the records and the facilities and inventory pertaining to the business of such person subject to the act, and to copy all such records, and to take reasonable samples of the inventory upon payment of the fair market value therefor. Any necessary facilities (other than reproduction equipment) for such examination and copying of records and for such examination and sampling of inventory shall be afforded to such authorized representative of the Department.

§ 1.526. Registration.

(a) Except as otherwise provided every person who engages in business in or for commerce as a meat broker, renderer or animal food manufacturer, or engages in business in commerce as a wholesaler of any carcasses, or parts or products of the carcasses, or any livestock, whether intended for human food or other purposes, or engages in business as a public warehouseman storing any such articles in or for commerce, or engages in the business of buying, selling or transporting in commerce or importing any dead, dying, disabled or diseased livestock, or parts of the carcasses of any such livestock that died otherwise than by slaughter, shall register with the Department, giving such information as is required, including his name, the address of each place of business and all trade names under which he conducts such business. Registration shall be effected by filing with the Department a form containing the required information within 90 days after he begins to engage in such business. All information submitted shall be current and correct. The registration form may be obtained from the Chief, Meat Hygiene Division, Department of Agriculture, Harrisburg, Pennsylvania 17120.

(b) Whenever any change is made in the name or address of any place of business or any trade name under which a registrant conducts his business, he shall report such change in writing to the Department within 15 days after making the change.

(c) The registration requirements prescribed in subsections (a) and (b) may not apply to persons conducting any of the businesses specified only at an official establishment.

§ 1.527. Information required from official establishment operators.

(a) The operator of each official establishment shall furnish to program employes accurate information as to all matters needed by them for making their daily reports of the amount of products prepared or handled in the departments of the establishment to which they are assigned and such reports concerning sanitation and other aspects of the operations of the establishment and the conduct of inspection thereat as may be required by the Department.

(b) The operator of each official establishment shall also make such other reports as the Department may from time to time require.

§ 1.528. Reports by consignees of allegedly adulterated or misbranded products.

Whenever the consignee of any product which bears an official inspection legend refuses to accept delivery of such product on the grounds that it is adulterated or misbranded, the consignee shall notify the regional veterinary supervisor of the kind, quantity, source, and present location of the product and the respects in which it is alleged to be adulterated or misbranded. It shall be a violation of the act for any person to sell or transport, or offer for sale or transportation, or

receive for transportation in commerce any such product which is capable of use as human food and is adulterated or misbranded at the time of such sale, transportation, offer or receipt except that any such allegedly adulterated or misbranded product may be transported to the official establishment from which it came, in accordance with § 1.545 (relating to return of adulterated or misbranded products).

Subchapter L. TRANSPORTATION

Sec.	
1.541.	Requirement for official inspection legend.
1.542.	Transportation between official establishments.
1.543.	Shipment of paunches.
1.544.	Products requiring special supervision.
1.545.	Return of adulterated or misbranded products.
1.546.	Inedible articles—general.
1.547.	Inedible rendered animal fats.
1.548.	Animal food.
1.549.	Denaturing procedures.
1.550.	Official seals.
1.551.	Loading or unloading products en route.
1.552.	Breaking seals in emergencies.
1.553.	Materials exempted from this subchapter.
1.554.	Transactions involving dead, dying, disabled or diseased livestock.
1.555.	Vehicles for transporting dead, dying, disabled or diseased livestock.
1.556.	Transportation of certain undenatured lungs or lung lobes from official establishments or in commerce.

Cross References

This subchapter cited in 7 Pa. Code § 1.227 (relating to transportation of unmarked products); and 7 Pa. Code § 1.522 (relating to required records).

§ 1.541. Requirement for official inspection legend.

No person shall sell, transport, offer for sale or transportation, or receive for transportation in commerce any product which is capable of use as human food unless the product and its container, if any, bear the official inspection legend as required by this Chapter or unless such product is exempted from the requirement of inspection as provided in Subchapter A (relating to general provisions).

§ 1.542. Transportation between official establishments.

(a) Any product which has been inspected and passed may be transported from one official establishment to another for further processing without each article being marked with the official inspection legend, if it is so transported in a railroad car, motortruck, or other means of conveyance which is sealed by a program employe with an official seal of the Department.

(b) Unless 25% or more of the contents of each car or other means of conveyance consists of product not marked with the inspection legend, transportation shall not be permitted under subsection (a) of this section.

Cross References

This section cited in 7 Pa. Code § 1.551 (relating to loading or unloading products en route).

§ 1.543. Shipment of paunches.

Cattle and sheep paunches which have been made clean and from which the mucous membrane has not been removed may be transported from one official establishment to another official establishment for further processing, only under an official seal of the Department.

§ 1.544. Products requiring special supervision.

(a) Products passed for cooking, pork that has been refrigerated to destroy trichinae, and beef that is to be refrigerated to destroy cysticerci may be shipped loose from one official establishment to any other official establishment for further handling in railroad cars, trucks or other means of conveyance sealed with the official seal of the Department, if in the case of railroad cars the receiving establishment has railroad facilities for unloading the products directly into the establishment.

(b) When such restricted product is shipped from one official establishment to another official establishment in the same railroad car or other means of conveyance with other product, such restricted product shall be packed in individual closed containers and the containers shall be sealed in accordance with § 1.333(g) (relating to treatment by refrigerating), and marked "Pa. passed for cooking" or "pork product ___ degrees F. ___ days refrigeration" or "beef passed for refrigeration," as the case may be. In addition, a "Pa. Retained" tag shall be securely affixed to each container of product passed for cooking and of beef passed for refrigeration. The means of conveyance shall not be sealed unless at least 25% of the other product in the vehicle is unmarked.

Cross References

This section cited in 7 Pa. Code § 1.141 (relating to general requirements); and 7 Pa. Code § 1.231 (relating to marking of outside containers—general).

§ 1.545. Return of adulterated or misbranded products.

(a) When it is claimed that any product which has previously been inspected, passed and marked with the inspection legend has become adulterated or misbranded after it has been transported from an official establishment, in order to ascertain whether it is adulterated or misbranded, it may be transported in commerce to the official establishment from which it came or to any other official establishment designated by the person desiring to so handle the product if a

written permit in duplicate for such shipment is first obtained from the veterinary supervisor of the region in which the establishment is located. Both the original and the duplicate of the permit shall be surrendered to the initial carrier. The duplicate copy of the inspector's permit shall be retained by the carrier and the original shall be forwarded immediately by the carrier to the Chief, Meat Hygiene Division, Department of Agriculture, Harrisburg, Pennsylvania 17120.

(b) Upon arrival of the shipment at the official establishment, a careful inspection shall be made of the product by a program inspector, and if it is found that the article is not adulterated it may be received into the establishment. If the article is found to be adulterated it shall at once be stamped "Pa. inspected and condemned" and disposed of. If it is found to be misbranded it shall be handled in accordance with § 1.313 (relating to disposition after reinspection) except that when a product is found to be affected with one of the correctable conditions specified in this Chapter, in respect to which rehandling is permitted, it may be transported from the official establishment for such rehandling as is necessary to assure that the product is not adulterated or misbranded when finally released. The transportation of such a product from an official establishment shall be done in a manner prescribed in each specific case by the Department.

Cross References

This section cited in 7 Pa. Code § 1.528 (relating to reports by consignees of allegedly adulterated or misbranded products); and 7 Pa. Code § 1.546 (relating to inedible articles—general).

§ 1.546. Inedible articles—general.

Except as provided in § 1.545 (relating to return of adulterated or misbranded products) no carcass, part of a carcass, rendered grease, tallow or other fat derived from the carcasses of livestock, or other meat food product which has not been inspected and passed at an official establishment and is not exempted from such inspection, and no carcass, part of a carcass, fat or other meat food product that is adulterated or misbranded, shall be offered for transportation in commerce by any person unless it is handled in accordance with this subchapter or is denatured or otherwise identified as prescribed in this chapter.

Cross References

This section cited in 7 Pa. Code § 1.210 (relating to shipping of condemned livers; conditions for disposal).

§ 1.547. Inedible rendered animal fats.

(a) Inedible rendered animal fats from official or other establishments in the United States having the physical characteristics of a meat product fit for human food may be transported in commerce without denaturing under the following conditions:

(1) Such inedible rendered fat shall not be sought, sold, transported or offered for sale or offered for transportation in commerce or imported, except

by rendering companies, dealers, brokers or others who obtain a numbered permit for such activities from the Chief, Meat Hygiene Division, Department of Agriculture, Harrisburg, Pennsylvania 17120.

(2) Such inedible rendered animal fat may be so distributed only if consigned to a domestic manufacturer of technical articles other than for human food or to an export terminal for exportation or storage for exportation as an inedible article and provided, in the case of such fat consigned to a domestic manufacturer, the product is for use solely by the consignee for manufacturing purposes of nonhuman food articles and may not be further sold or shipped without first receiving approval of the Chief, Meat Hygiene Division, Department of Agriculture, Harrisburg, Pennsylvania 17120. The fat intended for export and stored at a terminal point prior to export shall be subject to review by program employees to assure that it is exported as inedible.

(3) When transported in commerce, or imported, such inedible rendered fat shall be marked conspicuously with the words "technical animal fat not intended for human food" on the ends of the shipping containers in letters not less than two inches high, in the case of shipping containers such as drums, tierces, barrels and half barrels, and not less than four inches high in the case of tank cars and trucks. All shipping containers shall have both ends painted with a durable paint if necessary to provide a contrasting background for the required marking.

(4) Such inedible rendered fat shall be transported only in sealed shipping containers bearing unofficial seals applied by the shipper, which shall include the identification number of the permit holder, and the rendered fat shall be accompanied by a shipper's certificate which shall also specify the identification number. The number shall appear on the bill of lading or other transportation documents for the shipment. The consignees in the United States shall retain the seals in their records.

(5) Any diversion or effort to divert inedible rendered fat or other violation of this section may result in the revocation of the permit for shipment of technical animal fat at the discretion of the Department.

(b) Inedible rendered animal fat derived from condemned or other inedible materials at official or other establishments in the United States may be transported in commerce if mixed with low grade offal or other materials which render the fat readily distinguishable from an article of human food and if the outside container bears the word "inedible."

Cross References

This section cited in 7 Pa. Code § 1.205 (relating to inedible fats prepared at official establishments); and 7 Pa. Code § 1.206 (relating to inedible fats from outside official establishments).

§ 1.548. Animal food.

(a) Except as otherwise provided in subsections (b)—(d) or elsewhere in this chapter, no animal food prepared in whole or in part from materials derived from the carcasses of livestock in an official establishment or elsewhere shall be transported in commerce unless it complies with the following requirements:

- (1) It is properly identified as animal food.
- (2) It is not represented as being a human food.
- (3) It has been denatured in accordance with § 1.549 (relating to denaturing procedures) so as to be readily distinguishable from an article of human food.

(b) An animal food that contains less than 5% parts or products of the carcasses of livestock and that is not represented by labeling or appearance or otherwise as being a human food or as a product of the meat food industry need not be denatured.

(c) Animal food packed in hermetically sealed, retort processed, conventional retail-size containers, and retail-size packages of semi-moist animal food need not be denatured if the name of the article, as for example “Dog and Cat Food” or “Animal Food,” appears on the label in a conspicuous manner. To be considered conspicuous, the letters in the name of the articles shall be at least three times as high, wide and thick as the letters in the words denoting the use, as ingredients in the article, of the materials derived from the carcasses of livestock. The letters in the name of such article shall contrast as markedly with their background as the letters in the words denoting the use of such ingredient materials contrast with their background.

(d) The requirements of this subchapter shall not apply to any animal food which does not consist of any parts or products of the carcasses of livestock, or to livestock or poultry feed which does not consist of any such articles other than processed livestock by products (such as meat meal tankage, meat and bone meal, blood meal and feed grade animal fat).

Cross References

This section cited in 7 Pa. Code § 1.340 (relating to animal food and similar articles).

§ 1.549. Denaturing procedures.

(a) Carcasses, parts thereof, meat and meat food products (other than rendered animal fats) that have been treated in accordance with the provisions of this section shall be considered denatured for the purposes of this subchapter, except as otherwise provided in Subchapter F (relating to disposal of condemned and other inedible products).

(b) The following agents are prescribed for denaturing carcasses, parts thereof, meat or meat food products which are affected with any condition that would result in their condemnation and disposal if they were at an official establishment:

- (1) Crude carbolic acid.
 - (2) Cresylic disinfectant.
 - (3) A formula consisting of one part FD & C green, number 3 coloring, 40 parts water, 40 parts liquid detergent, and 40 parts oil of citronella, or other proprietary substance approved by the U.S. Department of Agriculture.
- (c) Except as otherwise provided in this section, the following agents are prescribed for denaturing other carcasses, parts thereof, meat and meat food products for which denaturing is required by this Subchapter:
- (1) FD & C green, number 3 coloring.
 - (2) FD & C blue, number 1 coloring.
 - (3) FD & C blue, number 2 coloring.
 - (4) FD & C violet, number 1 coloring.
 - (5) Finely powdered charcoal.
 - (6) Other proprietary substance approved by the Department.
- (d) Tripe may be denatured by dipping it in a 6.0% solution of tannic acid for one minute followed by immersion in a water bath, then immersing it for one minute in a solution of 0.022% FD&C yellow number 5 coloring.
- (e) Meat may be denatured by dipping it in a solution of 0.0625% tannic acid, followed by immersion in a water bath, then dipping it in a solution of .0625% ferric acid.
- (f) When meat, meat byproducts, or meat food products are in ground form, 4.0% by weight of coarsely ground hard bone which shall be in pieces no smaller than the opening size specified for number 5 mesh in the standards issued by the United States Bureau of Standards or 6% by weight of coarsely ground hard bone which shall be in pieces no smaller than the opening size specified for number 8 mesh in such standards, uniformly incorporated with the product may be used in lieu of the agents prescribed in subsection (c).
- (g) Before the denaturing agents are applied to articles in pieces more than four inches in diameter, the pieces shall be freely slashed or sectioned. (If the articles are in pieces not more than four inches in diameter, slashing or sectioning shall not be necessary.) The application of any of the denaturing agents listed in subsections (b) or (c) to the outer surface of molds or blocks of boneless meat, meat byproducts or meat food products shall not be adequate. The denaturing agent shall be mixed intimately with all of the material to be denatured, and be applied in such quantity and manner that it cannot easily and readily be removed by washing or soaking. A sufficient amount of the appropriate agent shall be used to give the material a distinctive color, odor or taste so that such material cannot be confused with an article of human food.
- (h) Inedible rendered animal fats shall be denatured by thoroughly mixing therein denaturing oil, number 2 fuel oil, brucine dissolved in a mixture of alcohol and pine oil or oil of rosemary, finely powdered charcoal, or any proprietary denaturing agent approved for the purpose by the Department in specific cases. The charcoal shall be used in no less quantity than 100 parts per million and shall

be of such character that it will remain suspended indefinitely in the liquid fat. Sufficient amounts of the chosen identifying agents shall be used to give the rendered fat so distinctive a color, odor or taste that it cannot be confused with an article of human food.

(i) Information as to approval of any proprietary denaturing substance may be obtained from the Director, Processed Food Inspection Division, Consumer and Marketing Service, United States Department of Agriculture, Washington, D.C. 20250.

Cross References

This section cited in 7 Pa. Code § 1.12 (relating to requirements for exempted products); 7 Pa. Code § 1.210 (relating to shipping of condemned livers; conditions for disposal); 7 Pa. Code § 1.211 (relating to handling of other condemned products); and 7 Pa. Code § 1.548 (relating to animal food).

§ 1.550. Official seals.

Except as provided in § 1.552 (relating to breaking seals in emergencies) official seals affixed to means of conveyance shall be affixed or broken only by program employes and no other person shall affix, detach, break, change or tamper with any such seal.

§ 1.551. Loading or unloading products en route.

Unloading any product from an officially sealed railroad car, truck or other means of conveyance containing any unmarked product or loading any product or any other commodity in the means of conveyance while en route from one official establishment is prohibited. However, product transported from one official establishment to another for further processing may be unloaded and stored in transit at any approved warehouse which is operated under the identification service of the Department and which has railroad facilities or a receiving dock for unloading the product directly into such warehouse if the product is stored in rooms which are of such size and type as will not result in adulteration or misbranding of the product and the product is transported to and from such warehouse and under official seal as provided in § 1.542 (relating to transportation between official establishments) and stored in such rooms at the warehouse.

§ 1.552. Breaking seals in emergencies.

In case of wreck or similar extraordinary emergency, the Department seals on a railroad car or other means of conveyance containing any inspected and passed product may be broken by the carrier and, if necessary, the articles may be reloaded into another means of conveyance or the shipment may be diverted from the original destination. In all such cases the carrier shall immediately report the

facts by telephone or telegraph to the Chief, Meat Hygiene Division, Department of Agriculture, Harrisburg, Pennsylvania 17120. Such report shall include the following information:

- (1) Nature of the emergency.
- (2) Place where seals were broken.
- (3) Original points of shipment and destination.
- (4) Number and initial of the original car or truck.
- (5) Number and initials of the car or truck into which the articles are reloaded.
- (6) New destination of the shipment.
- (7) Kind and amount of articles.

Cross References

This section cited in 7 Pa. Code § 1.550 (relating to official seals); and 7 Pa. Code § 1.554 (relating to transactions involving dead, dying, disabled or diseased livestock).

§ 1.553. Materials exempted from this subchapter.

The provisions of this subchapter shall not apply to the following:

- (1) Specimens of product sent to or by the Department or divisions thereof for laboratory examination, exhibition purposes or other official use.
- (2) Material released for educational, research, and other nonfood purposes, as prescribed in § 1.209 (relating to specimens for educational, research or other purposes).
- (3) Glands and organs for use in preparing pharmaceutical, organotherapeutic or technical products and not used for human food, as described in § 1.296 (relating to certain glands and organs).
- (4) Material or specimens of product for laboratory examination, research or other nonhuman food purposes, when authorized by the Department and under conditions prescribed in specific cases.
- (5) Articles that are naturally inedible by humans, such as hoofs, horns and hides in their natural state.

Cross References

This section cited in 7 Pa. Code § 1.231 (relating to marking of outside containers—general).

§ 1.554. Transactions involving dead, dying, disabled or diseased livestock.

Persons engaged in the business of buying, selling, transporting in commerce, or importing any dead, dying disabled or diseased animals or parts of the carcasses of any animals that died otherwise than by slaughter shall not engage in any of the following activities:

- (1) Buy, sell, transport, or offer for sale or transportation in commerce, or import any dead livestock if its hide or skin has been removed.

(2) Sell, transport, offer for sale or transportation, or receive for transportation in commerce any dead, dying, disabled or diseased livestock, or parts of the carcasses of any livestock that died otherwise than by slaughter, unless such livestock and parts are consigned and delivered without avoidable delay to:

(i) Establishments of animal food manufacturers, renderers or collection stations that are registered as required in this chapter.

(ii) Official establishments that operate under Federal inspection; or

(iii) Establishments that operate under a State or territorial inspection system approved by the Department as one that imposes requirements at least equal to the Federal requirements for purposes of the act (21 U.S.C.A. § 331). A list of such registrants, States and amendments thereof will be published in the Federal Register, and information concerning the registration status of particular animal food manufacturers, renderers or collection stations, or the status of particular States or territories may also be obtained from the Director, Consumer Protection programs Services Staff, Consumer and Marketing Services, United States Department of Agriculture, Washington, D.C. 20250.

(3) Buy in commerce or import any dead, dying, disabled or diseased livestock or parts of the carcasses of any livestock that died otherwise than by slaughter, unless he is an animal food manufacturer or renderer and is registered as such or is the operator of an establishment inspected as required by paragraph (2) and such livestock or parts of carcasses are to be delivered to establishments eligible to receive them under such paragraph.

(4) Unload en route to any establishment eligible to receive them under paragraph (2) any dead, dying, disabled or diseased livestock or parts of the carcasses of any livestock that died otherwise than by slaughter, which are transported in commerce or imported by any such person, except that any such livestock 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 in accordance with the requirements of § 1.552 (relating to breaking seals in emergencies).

(5) Load into any means of conveyance containing any dead, dying, disabled or diseased livestock or parts of the carcasses of any livestock that died otherwise than by slaughter, while in the course of importation or other transportation in commerce any other livestock, parts of carcasses, other products or other commodities.

Cross References

This section cited in 7 Pa. Code § 1.555 (relating to vehicles for transporting dead, dying, disabled or diseased livestock).

§ 1.555. Vehicles for transporting dead, dying, disabled or diseased livestock.

(a) All vehicles and other means of conveyance used by persons subject to § 1.554 (relating to transactions involving dead, dying, disabled or diseased livestock) for transporting in commerce or importing any dead, dying, disabled, and diseased livestock or parts of carcasses of livestock that died otherwise than by slaughter shall be leak-proof and so constructed and equipped as to permit thorough cleaning and sanitizing.

(b) The means of conveyance so used in conveying such livestock or parts thereof shall be cleaned and disinfected prior to use in the transportation of any product intended for use as human food. The cleaning procedure shall include the complete removal from the means of conveyance of any fluid, parts or product of such dead, dying, disabled or diseased livestock and the thorough application of a disinfectant to the interior surfaces of the cargo space. Substances permitted for such use are the following:

- (1) "Liquefied phenol" (U.S.P. strength 87% phenol) in the proportion of at least six fluid ounces to one gallon of water.
- (2) "Cresylic disinfectant" in the proportion of not less than four fluid ounces to one gallon of water, and such other disinfectants as are approved by the Department in specific cases. The use of "cresylic disinfectant" shall be subject to the conditions prescribed in 9 CFR 71.10(b).

§ 1.556. Transportation of certain undenatured lungs or lung lobes from official establishments or in commerce.

(a) Lungs or lung lobes, other than those condemned under § 1.129 (relating to inspection and disposition of lungs; hog lungs) that are prepared at any official establishment may be transported from the establishment, in "commerce" or otherwise, without denaturing as prescribed in §§ 1.201 and 1.203 (relating to establishments having tanking facilities; establishments not having tanking facilities), if the following conditions are met:

- (1) The lungs or lung lobes are transported under permit from the appropriate Officer in Charge, as prescribed in subsection (b) directly to a manufacturer of animal food, for use in manufacturing animal food, or directly to a zoo, mink farm, or other establishment for use as animal food without further manufacturing, or directly to a warehouse in the Commonwealth for storage for subsequent movement, as prescribed in subsection (e), directly to such a manufacturer or establishment in Pennsylvania for nonhuman food purposes.
- (2) A shipper's certificate as prescribed in subsection (c) is executed, in quadruplicate, by the operator of the official establishment, for each shipment of undenatured lungs or lung lobes from the establishment, and the original of the certificate is delivered to the program inspector at the official establishment

before the shipment is made, and copies of the certificate are distributed as prescribed in subsection (d).

(3) The boxes or other containers used for shipping the undenatured lungs or lung lobes are closed and taped with nylon filament tape or strapped with metal straps and the containers are permanently identified in two-inch lettering with the statement “(SPECIES) Lungs Not for Human Consumption.” In addition, the number of the permit prescribed in paragraph (1) shall appear on each container.

(b) A permit to ship undenatured lungs or lung lobes, as required by subsection (a)(1) will be issued upon application by the operator of an official establishment if the Officer in Charge determines that the application satisfied the requirements of this section, and that such lungs will be handled in a sanitary manner at the official establishment. Any such permit will be canceled by the Officer in Charge whenever he determines, after notice and opportunity to present views is afforded to the permittee, that the permittee has shipped any undenatured lungs or lung lobes without compliance with the restrictions of this section or that such articles shipped from the official establishment in accordance with such restrictions were subsequently not handled in accordance therewith, and that such cancellation is necessary to prevent further violations.

(c) The shipper’s certificate shall be in the following form:

SHIPMENT FROM AN OFFICIAL ESTABLISHMENT OF UNDENATURED LUNGS OR LUNG LOBES FOR ANIMAL FOOD

I hereby certify that the undenatured lungs or lung lobes described below were prepared at _____

(Name of official establishment) (Establishment No.)

at _____ and are consigned to the animal

(Address)

food manufacturer, other person, or warehouse identified below, for use as, or in the manufacture of, animal food, or the storage for subsequent movement to such a manufacturer or person or for export, for use as, or in the manufacture of, animal food and are not intended for human food.

Consignee's Name and Address:

Permit No. _____

Quantity:

(a) Number and kind of containers _____

(b) Total weight _____

(Signature and name and title of representative of operator of official establishment)

(Date)

I hereby acknowledge receipt on _____ of the described articles.
(Date)

(Signature and name and title of representative of consignee)

(d) One copy of the certificate shall be retained by the operator of the official establishment in accordance with this subchapter and two copies shall be sent to the consignee of the shipment. The consignee shall, on both copies, execute his acknowledgment of receipt of the shipment and state the date such shipment was received, send one copy of the signed certificate to the program inspector in charge of the official establishment from which shipment was made, and retain one copy in his records in accordance with this subchapter. The program inspector in charge shall retain the copy of the signed receipt of shipment in the official establishment program file.

(e) Lungs or lung lobes not within § 1.129 (relating to inspection and disposition of lungs; hog lungs), that are prepared at an official establishment and are

not denatured as prescribed in §§ 1.201 and 1.203 may be transported from the warehouse in which they have been stored, as provided in subsection (a)(1) if the following conditions are met:

- (1) Such lungs or lung lobes are transported, under permit from the appropriate Officer in Charge, as prescribed in subsection (a)(2), from a warehouse where they were stored as provided in subsection (a), directly to an animal food manufacturer for use in manufacturing animal food; or directly to a zoo, mink farm, or other establishment for use as animal food without further manufacturing; or in the course of direct exportation to a foreign country for use as, or in the manufacture of, animal feed.
- (2) A shipper's certificate is executed by the warehouse operator for each lot so transported.
- (3) The boxes or other containers of such products are closed, taped and identified as required by subsection (d).
- (f) The shipper's certificate required by subsection (d) shall be in the following form:

SHIPMENT FROM WAREHOUSE OF UNDENATURED LUNGS OR LUNG LOBES FOR ANIMAL FOOD

I hereby certify that the undenatured lungs or lung lobes described below were stored at _____, at _____ (Name of warehouse) (Address)

and are consigned to the animal food manufacturer, other persons, or warehouse identified below, for use as, or in the manufacture of, animal food, or for storage for subsequent movement to such a manufacturer or person or for export, for use as, or in the manufacture of, animal food and are not intended for human food.

Consignee's Name and Address:

Permit No. _____

Quantity:

(a) Number and kind of containers _____

(b) Total weight _____

(Signature and name and title of representative of operator of warehouse)

(Date)

I hereby acknowledge receipt on _____ of the above described articles.
(Date)

(Signature and name and title of representative of consignee)

(g) One copy of the shipper's certificate shall be retained by the operator of the warehouse in accordance with this subchapter. One copy shall be forwarded by the warehouse operator to the program inspector in charge of the official establishment in which the lungs or lung lobes were originally prepared. Two copies shall be sent by the warehouse operator to the consignee of the shipment. The consignee shall, on both copies, execute his acknowledgement of receipt of the shipment and state the date such shipment was received. The consignee shall send one copy of the receipted certificate to the program inspector in charge of the official establishment in which the shipment was originally prepared and shall retain one copy in his records in accordance with this subchapter. The program inspector in charge of the originating official establishment shall file the receipted

copy as an attachment with the original copy received when the original shipment was shipped to the warehouse for storage.

Source

The provisions of this § 1.556 added September 17, 1971, 1 Pa.B. 1825.

Subchapter M. MISCELLANEOUS PROVISIONS

Sec.

- 1.571. Articles subject to administrative retention.
- 1.572. Method of retention.
- 1.573. Notification of retention.
- 1.574. Notice to governmental authorities.
- 1.575. Movement of article retained.
- 1.576. Articles subject to seizure and condemnation.

Cross References

This subchapter cited in 7 Pa. Code § 1.313 (relating to disposition after reinspection).

§ 1.571. Articles subject to administrative retention.

Any carcass, part of a carcass, meat or meat food product of livestock, or article exempted from the definition of meat food products, or any dead, dying, disabled or diseased livestock shall be subject to retention for a period not to exceed 20 days when found by any authorized representative of the Department upon any premises where it is held for the purposes of or during or after distribution in commerce or it is otherwise subject to the act, and there is reason to believe that:

- (1) any such article is adulterated or misbranded and is capable of use as human food;
- (2) any such article has not been inspected in violation of the act, or any other laws of the Commonwealth; or
- (3) any such article or livestock has been or is intended to be distributed in violation of Title 1 of the act.

§ 1.572. Method of retention.

An authorized representative of the Department shall retain any article or livestock to be retained under this subchapter by affixing an official "Pa. Retained" tag to such article or livestock.

§ 1.573. Notification of retention.

When any article or livestock is retained an authorized representative of the Department shall give oral notification to the owner of the article or livestock retained if he can be ascertained and notified and, if not, to his agent or the immediate custodian of the article or livestock, and promptly furnish the person

so notified in writing with a Notice of Retention. Within 48 hours after the retention of any article or livestock, an authorized representative of the Department shall, if the retention is to continue, give written notification of Notice of Retention to the owner of the article or livestock retained, or if such owner cannot be ascertained and notified within such period of time, furnish such notice to his agent, or the carrier or other person having custody of the article or livestock detained. The written notification shall be served by either delivering the notification to such owner or his agent, or to such other person, or by certifying and mailing the notification, addressed to such owner, agent or other person at his last known residence or principal office or place of business.

§ 1.574. Notice to governmental authorities.

Within 48 hours after the detention of any livestock or article pursuant to this subchapter, an authorized representative of the Department shall give oral or written notification of such retention to any Federal authorities not connected with the program, and any State or other governmental authorities having jurisdiction over such livestock or article. In the event notification is given orally it shall be confirmed in writing as promptly as circumstances permit.

§ 1.575. Movement of article retained.

No article or livestock retained in accordance with this Subchapter shall be moved by any person from the place at which it is located when so retained until released by an authorized representative of the Department. However, any such article or livestock may be moved from the place at which it is located when so detained for refrigeration, freezing or storage purposes if such movement has been approved by an authorized representative of the Department and the article or livestock so moved shall be retained by an authorized representative of the Department after movement until such time as the retention is terminated. When the retention of such article or livestock is terminated, the owner or his agent or the carrier or other person in possession of the article or livestock who was notified when the article or livestock was retained will receive notification of the termination. The notification shall be served by either delivering the notice to such person at his last known residence or principal office or place of business. All official marks may be required by such representative to be removed from the article or livestock before it is released unless it appears to the satisfaction of the representative that the article or livestock is eligible to retain such marks.

§ 1.576. Articles subject to seizure and condemnation.

(a) Any carcass, part of a carcass, meat or meat food product, or any dead, dying, disabled or diseased livestock that is being transported in commerce or is otherwise subject to the act, or is held for sale in this Commonwealth after the transportation, may be seized, condemned and disposed of if the article or livestock:

- (1) Is or has been prepared, sold, transported or otherwise distributed or offered or received for distribution in violation of the act.
 - (2) Is capable of use as human food and is adulterated or misbranded.
 - (3) In any other way is in violation of the act.
- (b) Subsection (a) does not derogate from authority for condemnation or seizure conferred by the act or other laws.
- (c) An article or livestock subject to seizure and condemnation under this subchapter shall be liable to be seized and condemned and disposed of.

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