

and other materials into any establishment at which inspection under this subchapter is maintained, under such conditions as he may prescribe to assure that allowing the entry of such articles into such inspected establishments will be consistent with the purposes of this chapter. (Mar. 4, 1907, ch. 2907, title I, §5, formerly 3rd par., 34 Stat. 1261; renumbered §5 and amended Pub. L. 90-201, §§1, 5, 12(a), Dec. 15, 1967, 81 Stat. 584, 588, 592.)

CODIFICATION

Section was formerly classified to section 73 of this title.

AMENDMENTS

1967—Pub. L. 90-201, §§5, 12(a), limited entry of articles into establishments under such prescribed conditions as would be consistent with the purpose of this chapter and included horses, mules, and other equines in the list of animals, respectively.

EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90-201 effective Dec. 15, 1967, except that with respect to equines (other than horses) and their carcasses and parts thereof, meat, and meat food products thereof, amendment effective upon expiration of sixty days after Dec. 15, 1967, see section 20(b) of Pub. L. 90-201, set out as an Effective Date note under section 601 of this title.

§ 606. Inspectors of meat food products; marks of inspection; destruction of condemned products; products for export

For the purposes hereinbefore set forth the Secretary shall cause to be made, by inspectors appointed for that purpose, an examination and inspection of all meat food products prepared for commerce in any slaughtering, meat-canning, salting, packing, rendering, or similar establishment, and for the purposes of any examination and inspection and inspectors shall have access at all times, by day or night, whether the establishment be operated or not, to every part of said establishment; and said inspectors shall mark, stamp, tag, or label as "Inspected and passed" all such products found to be not adulterated; and said inspectors shall label, mark, stamp, or tag as "Inspected and condemned" all such products found adulterated, and all such condemned meat food products shall be destroyed for food purposes, as hereinbefore provided, and the Secretary may remove inspectors from any establishment which fails to so destroy such condemned meat food products: *Provided*, That subject to the rules and regulations of the Secretary the provisions of this section in regard to preservatives shall not apply to meat food products for export to any foreign country and which are prepared or packed according to the specifications or directions of the foreign purchaser, when no substance is used in the preparation or packing thereof in conflict with the laws of the foreign country to which said article is to be exported; but if said article shall be in fact sold or offered for sale for domestic use or consumption then this proviso shall not exempt said article from the operation of all the other provisions of this chapter.

(Mar. 4, 1907, ch. 2907, title I, §6, formerly 4th par., 34 Stat. 1261; renumbered §6 and amended

Pub. L. 90-201, §§1, 3, 12(e), Dec. 15, 1967, 81 Stat. 584, 588, 592; Pub. L. 99-641, title IV, §403(a), Nov. 10, 1986, 100 Stat. 3567.)

CODIFICATION

Section was formerly classified to section 74 of this title.

AMENDMENTS

1986—Pub. L. 99-641 temporarily added subsecs. (a) to (c) and struck out former undesignated provisions which read as follows: "For the purposes hereinbefore set forth the Secretary shall cause to be made, by inspectors appointed for that purpose, an examination and inspection of all meat food products prepared for commerce in any slaughtering, meat-canning, salting, packing, rendering, or similar establishment, and for the purposes of any examination and inspection and inspectors shall have access at all times, by day or night, whether the establishment be operated or not, to every part of said establishment; and said inspectors shall mark, stamp, tag, or label as 'Inspected and passed' all such products found to be not adulterated; and said inspectors shall label, mark, stamp, or tag as 'Inspected and condemned' all such products found adulterated, and all such condemned meat food products shall be destroyed for food purposes, as hereinbefore provided, and the Secretary may remove inspectors from any establishment which fails to so destroy such condemned meat food products: *Provided*, That", designated remaining provisions as subsec. (d), and inserted "Notwithstanding the preceding provisions of this section.". See Effective and Termination Dates of 1986 Amendment note below.

1967—Pub. L. 90-201, §§3, 12(e), struck out "interstate or foreign" before "commerce" and "of Agriculture" after "Secretary" in three places, and substituted "not adulterated" for "sound, healthful, and wholesome, and which contains no dyes, chemicals, preservatives, or ingredients which render such meat or meat food products unsound, unhealthful, unwholesome, or unfit for human food" and "adulterated" for "unsound, unhealthful, and unwholesome, or which contain dyes, chemicals, preservatives, or ingredients which render such meat or meat food products unsound, unhealthful, unwholesome, or unfit for human food," respectively.

EFFECTIVE AND TERMINATION DATES OF 1986 AMENDMENT

Section 403(a) of Pub. L. 99-641 provided in part that the amendment of this section by Pub. L. 99-641 is effective only during the 6-year period beginning Nov. 10, 1986.

Section 408 of title IV of Pub. L. 99-641 provided that: "(a) GENERAL EFFECTIVE DATE.—Except as provided in subsection (b) of this section, this title and the amendments made by this title [amending sections 606, 609, 621, 671, and 676 of this title and enacting provisions set out as notes under sections 606, 609, 621, 671, and 676 of this title] shall become effective on the date of the enactment of this Act [Nov. 10, 1986]."

"(b) TEMPORARY APPLICATION OF EXISTING LAW.—Sections 6, 9, and 21 of the Federal Meat Inspection Act (21 U.S.C. 606, 609, and 621), as in effect immediately before the date of the enactment of this Act [Nov. 10, 1986], shall apply with respect to establishments until the Secretary of Agriculture first issues rules and regulations to implement the amendments made by section 403(a) [amending this section]."

EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90-201 effective Dec. 15, 1967, except that with respect to equines (other than horses) and their carcasses and parts thereof, meat, and meat food products thereof, amendment effective upon expiration of sixty days after Dec. 15, 1967, see section 20(b) of Pub. L. 90-201, set out as an Effective Date note under section 601 of this title.

SAVINGS PROVISION

Section 404 of Pub. L. 99-641 provided that: "The expiration date provisions of section 403 [enacting provisions set out as notes under this section and sections 609, 621, 671, and 676 of this title] shall not have the effect of releasing or extinguishing any penalty, forfeiture, or liability incurred under the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), as amended by section 403 [amending this section and sections 609, 621, 671, and 676 of this title], or under the rules or regulations issued under such Act."

INSPECTION SERVICES FOR ESTABLISHMENTS NOT PARTICIPATING IN TOTAL PLANT QUALITY-CONTROL PROGRAM

Section 403(e) of Pub. L. 99-641 provided that: "The amendments made by this section [amending this section and sections 609, 621, 671, and 676 of this title] shall not be construed to authorize the Secretary of Agriculture to refuse to provide inspection under the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) at an establishment solely because such establishment does not participate in a total plant quality-control program."

DETECTION OF RESIDUE IN LIVESTOCK AND PROGRAM FOR TRACING OF LIVESTOCK

Section 405 of Pub. L. 99-641 provided that: "It is the sense of Congress that the Secretary of Agriculture should—

"(1) carry out a program to detect residues in livestock that are subject to inspection under title I of the Federal Meat Inspection Act (21 U.S.C. 601 et seq.); and

"(2) evaluate the feasibility of, and develop, a program that would enable the Secretary to trace any particular livestock that are subject to inspection under title I of the Federal Meat Inspection Act, in order to identify the producer of such livestock."

REPORTS TO CONGRESS

Pub. L. 99-641, title IV, §406, Nov. 10, 1986, 100 Stat. 3571, which required the Secretary of Agriculture to submit an annual report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate describing any action proposed or taken by the Secretary to implement amendments made by section 403 of Pub. L. 99-641 (amending this section and sections 609, 621, 671, and 676 of this title), to carry out a program for detecting residues in livestock, or to develop a program for tracing particular livestock in order to identify the producer, and describing any personnel action proposed or taken by the Secretary as a result of amendments made by section 403 of Pub. L. 99-641 along with any effort made by the Secretary to minimize any adverse economic effect of the amendments on employees of the Department of Agriculture, terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, page 46 of House Document No. 103-7.

CONGRESSIONAL REEVALUATION OF INSPECTION PROGRAM

Section 407 of Pub. L. 99-641 provided that: "It is the sense of Congress that, not later than 6 years after the date of the enactment of this Act [Nov. 10, 1986], Congress shall—

"(1) evaluate the operation and effects of the amendments made by section 403 [amending this section and sections 609, 621, 671, and 676 of this title], for the purpose of determining whether to extend or modify the operation of such amendments; and

"(2) enact such legislation as may be necessary to efficiently and effectively carry out the Federal Meat Inspection Act (21 U.S.C. 601 et seq.)."

§ 607. Labeling, marking, and container requirements**(a) Labeling receptacles or coverings of meat or meat food products inspected and passed; supervision by inspectors**

When any meat or meat food product prepared for commerce which has been inspected as hereinbefore provided and marked "Inspected and passed" shall be placed or packed in any can, pot, tin, canvas, or other receptacle or covering in any establishment where inspection under the provisions of this chapter is maintained, the person, firm, or corporation preparing said product shall cause a label to be attached to said can, pot, tin, canvas, or other receptacle or covering, under the supervision of an inspector, which label shall state that the contents thereof have been "inspected and passed" under the provisions of this chapter; and no inspection and examination of meat or meat food products deposited or inclosed in cans, tins, pots, canvas, or other receptacle or covering in any establishment where inspection under the provisions of this chapter is maintained shall be deemed to be complete until such meat or meat food products have been sealed or inclosed in said can, tin, pot, canvas, or other receptacle or covering under the supervision of an inspector.

(b) Information on articles or containers; legible form

All carcasses, parts of carcasses, meat and meat food products inspected at any establishment under the authority of this subchapter and found to be not adulterated, shall at the time they leave the establishment bear, in distinctly legible form, directly thereon or on their containers, as the Secretary may require, the information required under paragraph (n) of section 601 of this title.

(c) Labeling; type styles and sizes; definitions and standards of identity or composition; standards of fill of container; consistency of Federal and Federal-State standards

The Secretary, whenever he determines such action is necessary for the protection of the public, may prescribe: (1) the styles and sizes of type to be used with respect to material required to be incorporated in labeling to avoid false or misleading labeling in marketing and labeling any articles or animals subject to this subchapter or subchapter II of this chapter; (2) definitions and standards of identity or composition for articles subject to this subchapter and standards of fill of container for such articles not inconsistent with any such standards established under the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 301 et seq.], and there shall be consultation between the Secretary and the Secretary of Health and Human Services prior to the issuance of such standards under either Act relating to articles subject to this chapter to avoid inconsistency in such standards and possible impairment of the coordinated effective administration of these Acts. There shall also be consultation between the Secretary and an appropriate advisory committee provided for in section 661 of this title, prior to the issuance of such standards under this chapter, to avoid, insofar as feasible, inconsistency between Federal and State standards.