

cause to be made, by inspectors appointed for that purpose, an examination and inspection of the method by which cattle, sheep, swine, goats, horses, mules, and other equines are slaughtered and handled in connection with slaughter in the slaughtering establishments inspected under this chapter. The Secretary may refuse to provide inspection to a new slaughtering establishment or may cause inspection to be temporarily suspended at a slaughtering establishment if the Secretary finds that any cattle, sheep, swine, goats, horses, mules, or other equines have been slaughtered or handled in connection with slaughter at such establishment by any method not in accordance with the Act of August 27, 1958 (72 Stat. 862; 7 U.S.C. 1901-1906) until the establishment furnishes assurances satisfactory to the Secretary that all slaughtering and handling in connection with slaughter of livestock shall be in accordance with such a method.

(Mar. 4, 1907, ch. 2907, title I, §3, formerly 1st par., 34 Stat. 1260; renumbered §3 and amended Pub. L. 90-201, §§1, 3, 12(a), (b), Dec. 15, 1967, 81 Stat. 584, 588, 592; Pub. L. 95-445, §2, Oct. 10, 1978, 92 Stat. 1069.)

REFERENCES IN TEXT

Act of August 27, 1958, referred to in subsec. (b), is Pub. L. 85-765, Aug. 27, 1958, 72 Stat. 862, as amended, which is classified generally to chapter 48 (§1901 et seq.) of Title 7, Agriculture. For complete classification of this Act to the Code, see Tables.

Sections 1903 and 1905 of Title 7, included within reference to Act of August 27, 1958, were repealed by Pub. L. 95-445, §5(b), Oct. 10, 1978, 92 Stat. 1069, effective as set forth in section 7 of Pub. L. 95-445, set out as an Effective Date of 1978 Amendment note below.

CODIFICATION

Section was formerly classified to section 71 of this title.

AMENDMENTS

1978—Pub. L. 95-445 designated existing provisions as subsec. (a) and added subsec. (b).

1967—Pub. L. 90-201, §§3, 12(a), (b), struck out “interstate or foreign” before “commerce” in two places, substituted “Secretary shall” for “Secretary, at his discretion, may”, and struck out “of Agriculture” after “Secretary”, included horses, mules, and other equines, and horses, mules, or other equines in the list of animals, and substituted “adulterated” for “unsound, unhealthful, unwholesome, or otherwise unfit for human food”, respectively.

EFFECTIVE DATE OF 1978 AMENDMENT

Section 7 of Pub. L. 95-445 provided that: “The provisions of this Act [see Short Title of 1978 Amendment note set out under section 601 of this title] shall become effective one year after the date of enactment [Oct. 10, 1978]. However, such provisions shall not apply to a person, firm, or corporation for such additional period of time, not to exceed eighteen months, as may be determined by the Secretary, if the Secretary, upon application, finds that compliance with the provisions of this Act on its effective date would cause undue hardship on such person, firm, or corporation.”

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.

RELIGIOUS FREEDOM; RITUAL SLAUGHTER

Section 6 of Pub. L. 95-445 provided that: “Nothing in this Act [see Short Title of 1978 Amendment note set out under section 601 of this title] shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group. Notwithstanding any other provision of this Act, in order to protect freedom of religion, ritual slaughter and the handling or other preparation of livestock for ritual slaughter are exempted from the terms of this Act. For the purposes of this section the term ‘ritual slaughter’ means slaughter in accordance with section 2(b) of the Act of August 27, 1958 (72 Stat. 862; 7 U.S.C. 1902(b)).”

§ 604. Post mortem examination of carcasses and marking or labeling; destruction of carcasses condemned; reinspection

For the purposes hereinbefore set forth the Secretary shall cause to be made by inspectors appointed for that purpose a post mortem examination and inspection of the carcasses and parts thereof of all cattle, sheep, swine, goats, horses, mules, and other equines to be prepared at any slaughtering, meat-canning, salting, packing, rendering, or similar establishment in any State, Territory, or the District of Columbia as articles of commerce which are capable of use as human food; and the carcasses and parts thereof of all such animals found to be not adulterated shall be marked, stamped, tagged, or labeled as “Inspected and passed”; and said inspectors shall label, mark, stamp, or tag as “Inspected and condemned” all carcasses and parts thereof of animals found to be adulterated; and all carcasses and parts thereof thus inspected and condemned shall be destroyed for food purposes by the said establishment in the presence of an inspector, and the Secretary may remove inspectors from any such establishment which fails to so destroy any such condemned carcass or part thereof, and said inspectors, after said first inspection, shall, when they deem it necessary, reinspect said carcasses or parts thereof to determine whether since the first inspection the same have become adulterated, and if any carcass or any part thereof shall, upon examination and inspection subsequent to the first examination and inspection, be found to be adulterated, it shall be destroyed for food purposes by the said establishment in the presence of an inspector, and the Secretary may remove inspectors from any establishment which fails to so destroy any such condemned carcass or part thereof.

(Mar. 4, 1907, ch. 2907, title I, §4, formerly 2nd par., 34 Stat. 1260; renumbered §4 and amended Pub. L. 90-201, §§1, 3, 4, 12(a)-(d), Dec. 15, 1967, 81 Stat. 584, 588, 592.)

CODIFICATION

Section was formerly classified to section 72 of this title.

AMENDMENTS

1967—Pub. L. 90-201, §§3, 4, 12(a)-(d), struck out “interstate or foreign” before “commerce” and “of Agriculture” after “Secretary” in three places; struck out “for human consumption” before “at any slaughtering” and “for transportation or sale” after “District of Columbia” and inserted “which are capable of use as human food” after “commerce”; included horses, mules, and other equines in the list of animals; substituted “adulterated” for “unsound, unhealthful, un-

wholesome, or otherwise unfit for human food" after "Inspected and condemned," all carcasses and parts thereof of animals found to be" and before "it shall be destroyed"; substituted "not adulterated" for "sound, healthful, wholesome, and fit for human food"; and substituted "adulterated" for "unsound, unhealthful, unwholesome, or in any way unfit for human food" before "and if any carcass", 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.

§ 605. Examination of carcasses brought into slaughtering or packing establishments, and of meat food products issued from and returned thereto; conditions for entry

The foregoing provisions shall apply to all carcasses or parts of carcasses of cattle, sheep, swine, goats, horses, mules, and other equines or the meat or meat products thereof which may be brought into any slaughtering, meat-canning, salting, packing, rendering, or similar establishment, and such examination and inspection shall be had before the said carcasses or parts thereof shall be allowed to enter into any department wherein the same are to be treated and prepared for meat food products; and the foregoing provisions shall also apply to all such products, which, after having been issued from any slaughtering, meat-canning, salting, packing, rendering, or similar establishment, shall be returned to the same or to any similar establishment where such inspection is maintained. The Secretary may limit the entry of carcasses, parts of carcasses, meat and meat food products, 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.