§ 381.110  Poultry Inspection Certificate

and the seal of the U.S. Department of Agriculture, with a certification that
the poultry described therein had been inspected in compliance with the Regu-
lations of the Secretary of Agriculture Governing the Inspection of Poultry
and Poultry Products.
(b) The certificate also bears a serial
number such as “B 3208” and shows the
respective name and address of the ap-
plicant, the shipper or seller and the
receiver or buyer and the net weight in
pounds of amount passed, amount re-
jected or condemned, type of poultry,
lot number and class, and such other
information as the Administrator may
prescribe or approve in specific cases.

§ 381.110  Erasures or alterations made
on certificates.

Erasures or alterations not initialed
by the issuing inspector shall not be
permitted on any official certificate or
any copy thereof. All certificates ren-
dered useless through clerical error or
otherwise and all certificates canceled
for whatever cause shall be voided and
initialed, and one copy shall be re-
tained in the inspector’s file; and the
original and all other copies shall be
forwarded to the appropriate program
supervisor.

§ 381.111  Data to be entered in proper
spaces.

All certificates shall be so executed
that the data entered thereon will ap-
pear in the proper spaces on each copy
of the certificate.

§ 381.112  Official mark for maintaining
the identity and integrity of sam-

The official mark for use in sealing
containers of samples submitted under
any requirements in this part and sec-
tion 11(b) of the Poultry Products In-
pection Act shall bear the designation
“Sample Seal” accompanied by the offi-
cial USDA logo as shown below. Any
seal approved by the Administrator for
applying such mark shall be deemed an
official device for purposes of the Act.

§ 381.115  Containers of inspected and
passed poultry products required to
be labeled.

Except as may be authorized in spe-
cific cases by the Administrator with
respect to shipment of poultry prod-
ucts between official establishments,
each shipping container and each im-
mediate container of any inspected and
passed poultry product shall at the
time it leaves the official establish-
ment bear a label which contains infor-
mation, and has been approved, in ac-
cordance with this subpart.

§ 381.116  Wording on labels of imme-
diate containers.

(a) Each label for use on immediate
containers for inspected and passed
poultry products shall bear on the prin-
cipal display panel (except as otherwise
permitted in the regulations), the
items of information required by this
subpart. Such items of information
shall be in distinctly legible form. Ex-
cept as provided in §381.128, all words,
statements and other information re-
quired by or under authority of the Act
to appear on the label or labeling shall
appear thereon in the English lan-
guage: Provided, however, That in the
case of products distributed solely in
Puerto Rico, Spanish may be sub-
stituted for English for all printed
matter except the USDA inspection
legend.
Food Safety and Inspection Service, USDA

§ 381.117

(b) 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. The principal display panel shall be large enough to accommodate all the mandatory label information required to be placed thereon by the regulations with clarity and conspicuousness and without being obscured by design or vignettes, or crowding. 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 area that is to bear the principal display panel shall be:

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

(2) In the case of a cylindrical or nearly cylindrical container:

(i) An area on the side of the container that is 40 percent of the product of the height of the container times the circumference, or

(ii) A panel, the width of which is one-third of the circumference and the height of which is as high as the container; Provided, however, That there is, immediately to the right or left of such principal display panel, a panel which has a width not greater than 20 percent of the circumference and a height as high as the container, and which is reserved for information prescribed in §§ 381.118, 381.122, and 381.123. Such panel shall be known as the “20 percent panel” and such information may be shown on that panel in lieu of showing it on the principal display panel as provided in this § 381.116.

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

In determining the area of the principal display panel, exclude tops, bottoms, flanges at tops and bottoms of cans, and shoulders and necks of bottles or jars.

(c) (1) The information panel is that part of a label that is the first surface to the right of the principal display panel as observed by an individual facing the principal display panel, with the following exceptions:

(i) If the first surface to the right of the principal display panel is too small to accommodate the required information or is otherwise unusable label space, e.g., folded flaps, tear strips, opening flaps, heat-sealed flaps, the next panel to the right of this part of the label may be used.

(ii) If the package has one or more alternate principal display panels, the information panel is to the right of any principal display panel.

(iii) If the top of the container is the principal display panel and the package has no alternate principal display panel, the information panel is any panel adjacent to the principal display panel.

(2) (i) Except as otherwise permitted in this part, all information required to appear on the principal display panel or permitted to appear on the information panel shall appear on the same panel unless there is insufficient space. In determining the sufficiency of the available space, except as otherwise prescribed in this part, any vignettes, designs, and any other nonmandatory information shall not be considered. If there is insufficient space for all required information to appear on a single panel, it may be divided between the principal display panel and the information panel, provided that the information required by any given provision of this part, such as the ingredients statement, is not divided and appears on the same panel.

(ii) All information appearing on the information panel pursuant to this section shall appear in one place without intervening material, such as designs or vignettes.

[37 FR 9706, May 16, 1972, as amended at 40 FR 11347, Mar. 11, 1975; 59 FR 40214, Aug. 8, 1994]

§ 381.117 Name of product and other labeling.

(a) The label shall show the name of the product, which, in the case of a poultry product which purports to be or is represented as a product for which a definition and standard of identity or composition is prescribed in subpart P, shall be the name of the food specified in the standard, and in the case of any other poultry product shall be the common or usual name of the food, if any