

of pork, beef, sheep, or goat livers computed on the fresh weight of the livers.

[36 FR 12004, June 24, 1971]

PART 320—RECORDS, REGISTRATION, AND REPORTS

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AUTHORITY: 21 U.S.C. 601-695; 7 CFR 2.7, 2.18, 2.53.

SOURCE: 35 FR 15603, Oct. 3, 1970, unless otherwise noted.

§ 320.1 Records required to be kept.

(a) Every person (including every firm or corporation) within any of the classes specified in paragraph (a) (1), (2), or (3) of this section is required by the Act to keep records which will fully and correctly disclose all transactions involved in his or its business subject to the Act:

(1) Any person that engages, for commerce, in the business of slaughtering any cattle, sheep, swine, goats, horses, mules, or other equines, 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 that engages in the business of buying or selling (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 that engages in business, in or 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, goats, horses, mules, or other equines, or parts of the carcasses of any such animals that died otherwise than by slaughter.

(b) The required records are:

(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 said 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 outside containers (if any);

(iv) The name and address of the buyer of livestock or article 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; and

(viii) The name and address of the carrier.

(ix) In the case of a person belonging to the class specified in paragraph (a)(1), and engaged, for commerce, in the business of slaughtering any swine for use as human or animal food, the name and address (including the city and state, or the township, county, and state) of each person from whom the person belonging to the class so specified purchased or otherwise obtained each swine, and the telephone number, if available, of the person from whom the swine were purchased or otherwise obtained, and all serial numbers and other approved means of identification appearing on all test swine selected at antemortem inspection by FSIS representatives for residue testing.

(2) Shipper's certificates and permits required to be kept by shippers and carriers of articles under part 325 of this subchapter.

(3) A record of seal numbers required to be kept by consignees of inedible products shipped under unofficial seals under §325.11(b) or (e) of this subchapter, and a record of new consignees of inedible products diverted under §325.11(e) of this subchapter.

(4)(i) In the case of raw ground beef products, official establishments and retail stores are required to keep records that fully disclose:

(A) The establishment numbers of the establishments supplying the materials used to prepare each lot of raw ground beef product;

(B) All supplier lot numbers and production dates;

(C) The names of the supplied materials, including beef components and any materials carried over from one production lot to the next;

(D) The date and time each lot of raw ground beef product is produced; and

(E) The date and time when grinding equipment and other related food-contact surfaces are cleaned and sanitized.

(ii) Official establishments and retail stores covered by this part that prepare ground beef products that are ground at an individual customer's request must keep records that comply with paragraph (b)(4)(i) of this section.

(iii) For the purposes of this section of the regulations, a lot is the amount of ground raw beef produced during particular dates and times, following clean up and until the next clean up, during which the same source materials are used.

(5) Guaranties provided by suppliers of packaging materials under §317.24.

(6) Records of canning as required by subpart G of this subchapter A, 9 CFR chapter III.

(7) Sample results and calculation results as required by processing procedures to destroy trichinae in §318.10(c)(3)(iv) (Methods 5 and 6).

(8) Records of nutrition labeling as required by subpart B, part 317, of this subchapter.

(9) Records as required in §318.23(b) and (c).

(10) Records documenting the development, implementation, and maintenance of procedures for the control of the production process using advanced meat/bone separation machinery and meat recovery systems as required by §318.24 of this subchapter.

(11) Records of labeling, product formulas, processing procedures, and any additional documentation needed to show that the labels are consistent with the Federal meat and poultry reg-

ulations and policies on labeling, as prescribed in §412.1 of this chapter.

(Approved by the Office of Management and Budget under control number 0583-0015)

[35 FR 15603, Oct. 3, 1970]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §320.1, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 320.2 Place of maintenance of records.

(a) Except as provided in paragraph (b) of this section, any person engaged in any business described in §320.1 and required by this part to keep records must maintain such records at the place where such business is conducted, except that if such person conducts such business at multiple locations, he may maintain such records at his headquarters' office. When not in actual use, all such records must be kept in a safe place at the prescribed location in accordance with good commercial practices.

(b) Records required to kept under §320.1(b)(4) must be kept at the location where the raw beef was ground.

[80 FR 79250, Dec. 21, 2015]

§ 320.3 Record retention period.

(a) Except as provided in paragraphs (b) and (c) of this section, every record required to be maintained under this part must 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 Administrator may require for purposes of any investigation or litigation under the Act, by written notice to the person required to keep such records under this part.

(b) Records of canning as required in subpart G of part 318 of this chapter, must be retained as required in §318.307(e); except that records required by §318.302(b) and (c) must be retained as required by those sections.

(c) Records required to be maintained under §320.1(b)(4) must be retained for one year.

[80 FR 79250, Dec. 21, 2015]