

**§ 590.426 Retention.**

Retention tags or other devices and methods as may be approved by the Administrator shall be used for the identification and control of products which are not in compliance with the regulations or are held for further examination, and any equipment, utensils, rooms or compartments which are found to be unclean or otherwise in violation of the regulations. No product, equipment, utensil, room, or compartment shall be released for use until it has been made acceptable. Such identification shall not be removed by anyone other than an inspector.

## ENTRY OF MATERIAL INTO OFFICIAL EGG PRODUCTS PLANTS

**§ 590.430 Limitation on entry of material.**

(a) The Administrator shall limit the entry of eggs and egg products and other materials into official plants under such conditions as he may prescribe to assure that allowing the entry of such articles will be consistent with the purposes of the Act and these regulations.

(b) Inedible egg products may be brought into an official plant for storage, processing, and reshipment provided they are handled in such a manner that adequate segregation and inventory controls are maintained at all times. The processing of inedible egg products must be done under conditions that will not affect the processing of edible products, such as processing in separate areas or at times when no edible products are being processed. If the same equipment or areas are used to process both inedible and edible eggs, then the equipment and processing areas used to process inedible eggs must be thoroughly cleaned and sanitized prior to processing any edible egg products.

[36 FR 9814, May 28, 1971, as amended at 40 FR 20059, May 8, 1975. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981, as amended at 85 FR 68679, Oct. 29, 2020]

**§ 590.435 Use of food ingredients and approval of materials.**

(a)(1) No substance which is a "food additive" as defined under 21 U.S.C.

321(s), including sources of radiation, may be used in the processing of egg products unless this use is authorized under the Federal Food, Drug, and Cosmetic Act.

(2) No substance which is intended to impart color in any egg product may be used unless such use is authorized under the Federal Food, Drug, and Cosmetic Act.

(3) Substances and ingredients used in the processing of egg products capable of use as human food must be clean, wholesome, and unadulterated.

(b) Substances permitted for use in egg products in subsection(a) will be permitted for such use under this chapter, subject to declaration requirements in § 424.22(c) of this chapter and § 590.411, unless precluded from such use or further restricted in this chapter. Such substances must be safe and effective under conditions of use and not result in the adulteration of product. The Administrator may require, in addition to listing the ingredients, a declaration of the additive and the purpose of its use.

(c) Substances to be used in the processing of egg products must be safe under the conditions of their intended use and in amounts sufficient to accomplish their intended purpose. Such substances may not promote deception or cause the product to be otherwise adulterated or unwholesome. Scientific data showing the additive meets the above specified criteria must be maintained and made available to FSIS inspection program personnel.

[85 FR 68679, Oct. 29, 2020]

**§ 590.440 Processing ova.**

(a) Ova from slaughtered poultry may be brought into the official plant for processing: *Provided*, That the ova is from wholesome poultry inspected in a plant operating under the Poultry Products Inspection Act (21 U.S.C. 451 *et seq.*) and such product is harvested in a sanitary manner, properly handled, cooled, packaged and labeled: *And provided further*, That such product is wholesome and the containers of such product bear official identification which assures the provisions of this paragraph have been met.

**§ 590.500**

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(b) The ova and products containing ova shall be processed, cooled, and pasteurized in the official plant in the same manner as liquid, frozen, or dried yolk products.

(c) All products containing ova must be labeled in accordance with § 590.411.

[36 FR 9814, May 28, 1971, as amended at 85 FR 68679, Oct. 29, 2020]

**SANITARY, PROCESSING, AND FACILITY REQUIREMENTS**

**§ 590.500 Plant requirements.**

(a) The plant shall be free from objectionable odors, dust, and smokeladen air.

(b) The premises shall be free from refuse, rubbish, waste, and other materials and conditions which constitute a source of odors or a harbor for insects, rodents, and other vermin.

(c) The buildings shall be of sound construction and kept in good repair to prevent the entrance or harboring of vermin.

(d) Rooms shall be kept free from refuse, rubbish, waste materials, odors, insects, rodents, and from any conditions which may constitute a source of odors or engender insects and rodents. Materials and equipment not currently needed shall be handled or stored in a manner so as not to constitute a sanitary hazard.

(e) Doors and windows that open to the outside shall be protected against the entrance of flies and other insects. Doors and windows serving rooms where edible product is exposed shall be so designed and installed to prevent the entrance of dust and dirt. Doors leading into rooms where edible product is processed shall be of solid construction and such doors, other than freezer and cooler doors, shall be fitted with self-closing devices.

(f) Doors and other openings which are accessible to rodents shall be of rodent-proof construction.

(g) There shall be an efficient drainage and plumbing system for the plant and premises. Drains and gutters shall be properly installed with approved traps and vents. The sewage system shall have adequate slope and capacity to readily remove waste from the various processing operations. Floor drains shall be equipped with traps,

and constructed so as to minimize clogging. In new or remodeled construction the drainage systems from toilets and laboratories shall not be connected with other drainage systems within the plant.

(h) The water supply (both hot and cold) shall be ample, clean, and potable, with adequate pressure and facilities for its distribution throughout the plant or portion thereof utilized for egg processing and handling operations and protected against contamination and pollution. A water report, issued under the authority of a State or municipal health agency, certifying to the potability of the water supply shall be obtained by the applicant and furnished to the Administrator whenever such report is required by the Administrator.

(i) The floors, walls, ceiling, partitions, posts, doors, and other parts of all structures shall be of such materials, construction, and finish to permit their ready and thorough cleaning. The floors and curbing shall be watertight.

(j) Each room and each compartment in which any shell eggs or egg products are handled or processed shall be so designed, constructed, and maintained to insure processing and operating conditions of a clean and orderly character, free from objectionable odors and vapors, and maintained in a clean and sanitary condition.

(k) Every precaution shall be taken to exclude dogs, cats, and vermin (including, but not being limited to, rodents and insects) from the plant, or portion thereof utilized in which shell eggs or egg products are handled or stored.

(1)(1) There shall be a sufficient number of adequately lighted dressing rooms and toilet rooms, ample in size, conveniently located and separated from the rooms and compartments in which shell eggs or egg products are handled, processed, or stored. The dressing rooms and toilet rooms shall be separately ventilated, and shall meet all requirements as to sanitary construction and equipment.

(2) The following formula shall serve as a basis for determining the toilet facilities required: