

105TH CONGRESS
1ST SESSION

S. 1291

To permit the interstate distribution of State-inspected meat under certain circumstances.

IN THE SENATE OF THE UNITED STATES

OCTOBER 9, 1997

Mr. HATCH (for himself, Mr. FEINGOLD, Mr. THOMAS, Mr. BROWNBACK, Mr. ROBERTS, and Mr. BURNS) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To permit the interstate distribution of State-inspected meat under certain circumstances.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Interstate Distribution
5 of State-Inspected Meat Act of 1997”.

1 **SEC. 2. WAIVER OF INTRASTATE DISTRIBUTION LIMITA-**
2 **TION.**

3 (a) MEAT.—Section 301(a) of the Federal Meat In-
4 spection Act (21 U.S.C. 661(a)) is amended by adding at
5 the end the following:

6 “(5) WAIVER OF INTRASTATE DISTRIBUTION
7 LIMITATION.—

8 “(A) EVALUATION.—On application of a
9 State agency with which the Secretary may co-
10 operate under this Act, the Secretary shall
11 evaluate the inspection, reinspection, and sani-
12 tation requirements of the State’s meat inspec-
13 tion program to verify that the mandatory re-
14 quirements of the program are at least equal to
15 the Federal requirements of title I and the final
16 rule entitled ‘Pathogen Reduction; Hazard
17 Analysis and Critical Control Point (HACCP)
18 Systems’ (61 Fed. Reg. 38806), published on
19 July 25, 1996.

20 “(B) WAIVER.—If the Secretary verifies
21 that the inspection, reinspection, and sanitation
22 requirements of the State’s meat inspection
23 program are at least equal to the Federal re-
24 quirements described in subparagraph (A), the
25 Secretary shall waive the limitation of para-
26 graph (1) that restricts meat inspected by the

1 State to intrastate distribution to allow domes-
2 tic distribution within the States, territories,
3 and possessions of the United States.

4 “(C) INSPECTIONS.—

5 “(i) IN GENERAL.—Following any
6 waiver under subparagraph (B), the Sec-
7 retary may perform a random inspection of
8 a State-inspected plant within the State to
9 ensure that the inspection, reinspection,
10 and sanitation requirements of the State’s
11 meat inspection program are complied with
12 to the same degree as the Federal require-
13 ments described in subparagraph (A) are
14 complied with.

15 “(ii) INSPECTORS.—The Secretary
16 may use an employee of the Department of
17 Agriculture, or may cooperate with the
18 State agency to train and use a State em-
19 ployee, to perform an inspection under
20 clause (i).

21 “(iii) NONCOMPLIANCE.—If an inspec-
22 tion under clause (i) discloses that the in-
23 spection, reinspection, and sanitation re-
24 quirements of the State’s meat inspection
25 program are not complied with at a plant

1 to the same degree as the Federal require-
2 ments described in subparagraph (A), the
3 Secretary shall reimpose the restriction
4 against the interstate distribution of meat
5 and meat products produced at the plant
6 until a subsequent inspection verifies that
7 the inspection, reinspection, and sanitation
8 requirements of the State’s meat inspec-
9 tion program are complied with at the
10 plant to the same degree as the Federal re-
11 quirements described in subparagraph
12 (A).”.

13 (b) POULTRY.—Section 5(a) of the Poultry Products
14 Inspection Act (21 U.S.C. 454(a)) is amended by adding
15 at the end the following:

16 “(5) WAIVER OF INTRASTATE DISTRIBUTION
17 LIMITATION.—

18 “(A) EVALUATION.—On application of a
19 State agency with which the Secretary may co-
20 operate under this Act, the Secretary shall
21 evaluate the inspection, reinspection, and sani-
22 tation requirements of the State’s poultry in-
23 spection program to verify that the mandatory
24 requirements of the program are at least equal
25 to the Federal requirements of this Act and the

1 final rule entitled ‘Pathogen Reduction; Hazard
2 Analysis and Critical Control Point (HACCP)
3 Systems’ (61 Fed. Reg. 38806), published on
4 July 25, 1996.

5 “(B) WAIVER.—If the Secretary verifies
6 that the inspection, reinspection, and sanitation
7 requirements of the State’s poultry inspection
8 program are at least equal to the Federal re-
9 quirements described in subparagraph (A), the
10 Secretary shall waive the limitation of para-
11 graph (1) that restricts poultry inspected by the
12 State to intrastate distribution to allow domes-
13 tic distribution within the States, territories,
14 and possessions of the United States.

15 “(C) INSPECTIONS.—

16 “(i) IN GENERAL.—Following any
17 waiver under subparagraph (B), the Sec-
18 retary may perform a random inspection of
19 a State-inspected plant within the State to
20 ensure that the inspection, reinspection,
21 and sanitation requirements of the State’s
22 poultry inspection program are complied
23 with to the same degree as the Federal re-
24 quirements described in subparagraph (A)
25 are complied with.

1 “(ii) INSPECTORS.—The Secretary
2 may use an employee of the Department of
3 Agriculture, or may cooperate with the
4 State agency to train and use a State em-
5 ployee, to perform an inspection under
6 clause (i).

7 “(iii) NONCOMPLIANCE.—If an inspec-
8 tion under clause (i) discloses that the in-
9 spection, reinspection, and sanitation re-
10 quirements of the State’s poultry inspec-
11 tion program are not complied with at a
12 plant to the same degree as the Federal re-
13 quirements described in subparagraph (A),
14 the Secretary shall reimpose the restriction
15 against the interstate distribution of poul-
16 try and poultry products produced at the
17 plant until a subsequent inspection verifies
18 that the inspection, reinspection, and sani-
19 tation requirements of the State’s poultry
20 inspection program are complied with at
21 the plant to the same degree as the Fed-
22 eral requirements described in subpara-
23 graph (A).”.

1 **SEC. 3. EFFECTIVE DATE.**

2 This Act and the amendments made by this Act take
3 effect on December 1, 1997.

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