

§311.37

(b) Carcasses affected with localized lesions of this disease may be passed for human food after the affected parts are removed and condemned.

§311.37 Odors, foreign and urine.

(a) Carcasses which give off a pronounced odor of medicinal, chemical, or other foreign substance shall be condemned.

(b) Carcasses which give off a pronounced urine odor shall be condemned.

(c) Carcasses, organs, or parts affected by odor to a lesser degree than as described in paragraphs (a) and (b) of this section and in which the odor can be removed by trimming or chilling may be passed for human food, after removal of affected parts or dissipation of the condition.

§311.38 Meat and meat byproducts from livestock which have been exposed to radiation.

Meat and meat byproducts from livestock which have been administered radioactive material shall be condemned unless the use of the radiation was in conformity with a regulation or exemption in effect pursuant to section 409 of the Federal Food, Drug, and Cosmetic Act.

§311.39 Biological residues.

Carcasses, organs, or other parts of carcasses of livestock shall be condemned if it is determined that they are adulterated because of the presence of any biological residues.

PART 312—OFFICIAL MARKS, DEVICES AND CERTIFICATES

Sec.

312.1 General.

312.2 Official marks and devices to identify inspected and passed products of cattle, sheep, swine, or goats.

312.3 Official marks and devices to identify inspected and passed equine products.

312.4 Official ante-mortem inspection marks and devices.

312.5 Official seals for transportation of products.

312.6 Official marks and devices in connection with post-mortem inspection and identification of adulterated products and insanitary equipment and facilities.

312.7 [Reserved]

312.8 Export inspection marks.

9 CFR Ch. III (1-1-25 Edition)

312.9 Official detention marks and devices.

312.10 Official mark for maintaining the identity and integrity of samples.

AUTHORITY: 21 U.S.C. 601-695; 7 CFR 2.17, 2.55.

SOURCE: 35 FR 15573, Oct. 3, 1970, unless otherwise noted.

§312.1 General.

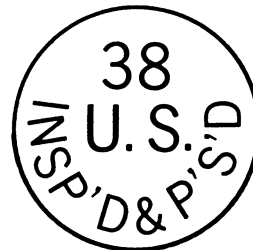
The marks, devices, and certificates prescribed or referenced in this part shall be official marks, devices, and certificates for purposes of the Act, and shall be used in accordance with the provisions of this part and the regulations cited therein.

§312.2 Official marks and devices to identify inspected and passed products of cattle, sheep, swine, or goats.

(a) The official inspection legend required by part 316 of this subchapter to be applied to inspected and passed carcasses and parts of carcasses of cattle, sheep, swine and goats, meat food products in animal casings, and other products as approved by the Administrator, shall be in the appropriate form as hereinafter specified:¹

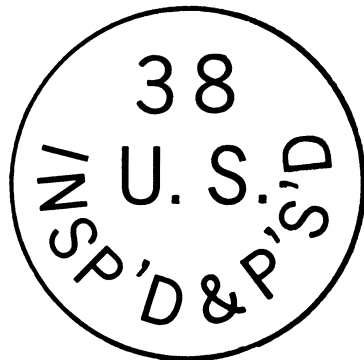


For application to sheep carcasses, the loins and ribs of pork, beef tails, and the smaller varieties of sausage and meat food products in animal casings.



¹The number "38" is given as an example only. The establishment number of the official establishment where the product is prepared shall be used in lieu thereof.

For application to calf and goat carcasses and on the larger varieties of sausage and meat food products in animal casings.



For application to beef and hog carcasses primal parts and cuts therefrom, beef livers, beef tongues, beef hearts, and smoked meats not in casings.



For application to burlap, muslin, cheesecloth, heavy paper, or other acceptable material that encloses carcasses or parts of carcasses.

(b)(1) The official inspection legend required by part 317 of this subchapter to be shown on all labels for inspected and passed products of cattle, sheep, swine, and goats shall be in the fol-

lowing form¹ except that it need not be of the size illustrated, provided that it is a sufficient size and of such color as to be conspicuously displayed and readily legible and the same proportions of letter size and boldness are maintained as illustrated:



(2) This official mark shall be applied by mechanical means and shall not be applied by a hand stamp.

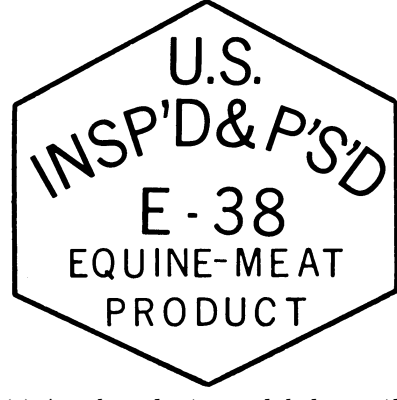
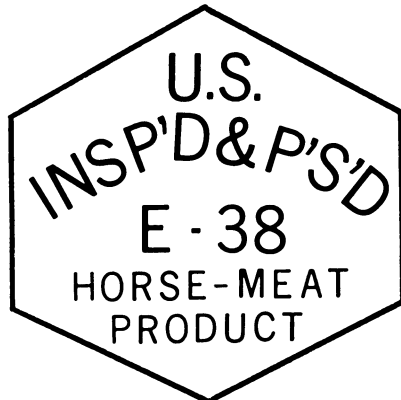
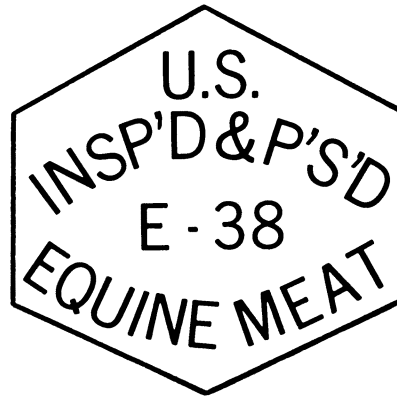
(3) The official inspection legend described in paragraph (b)(1) of this section may also be used for purposes of part 316 of this subchapter on shipping containers, band labels, artificial casings, and other articles with the approval of the Administrator.

(c) Any brand, stamp, label, or other device approved by the Administrator and bearing any official mark prescribed in paragraphs (a) or (b) of this section shall be an official device for purposes of the Act.

[35 FR 15573, Oct. 3, 1970; 36 FR 12002, June 24, 1971]

§312.3 Official marks and devices to identify inspected and passed equine products.

(a) The official inspection legend required by §316.12 or §317.2 of this subchapter to identify inspected and passed horse carcasses and parts of carcasses, or horse meat food products shall be in the appropriate form as hereinafter specified:¹



(b) The official inspection legend required by §316.12 or §317.2 of this subchapter to identify inspected and passed mule and other (nonhorse) equine carcasses and parts of carcasses, or equine meat food products shall be in whichever of the following form, is appropriate:¹

(c) Any brand, stamp, label, or other device approved by the Administrator and bearing any official mark prescribed in paragraphs (a) or (b) of this section shall be an official device for purposes of the Act.

§312.4 Official ante-mortem inspection marks and devices.

The official marks and devices used in connection with ante-mortem inspection are those prescribed in §309.18 of this subchapter.

§312.5 Official seals for transportation of products.

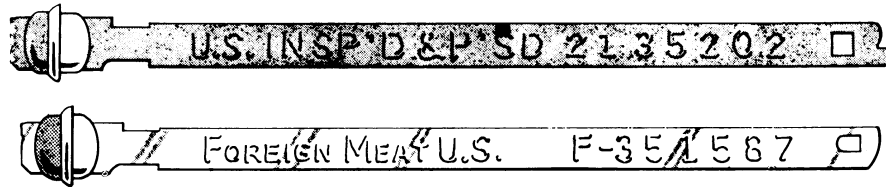
The official mark for use in sealing railroad cars or other means of conveyance as prescribed in part 325 of this subchapter shall be the inscription and a serial number as hereinafter shown

¹The number "38" is given as an example only. The establishment number of the official establishment where the product is prepared shall be used in lieu thereof.

²The number "2135202" is given as an example only. The serial number of the specific seal will be shown in lieu thereof.

and any seal approved by the Administrator for applying such mark shall be an official device for purposes of the Act. This seal shall be attached to the

means of conveyance only by a Program employee and he shall also affix thereto a "Warning Tag" (Form MP-408-3).



[35 FR 15573, Oct. 3, 1970, as amended at 39 FR 36000, Oct. 7, 1974; 51 FR 37707, Oct. 24, 1986]

§312.6 Official marks and devices in connection with post-mortem inspection and identification of adulterated products and insanitary equipment and facilities.

(a) The official marks required by parts 310 and 416 of this chapter for use in post-mortem inspection and identification of adulterated products and insanitary equipment and facilities are:

(1) The tag (Form MP-427) which is used to retain carcasses and parts of carcasses in the slaughter department; it is black and white, and bears the legend "U.S. Retained."

(2) The "U.S. Retained" mark which is applied to products and articles as prescribed in part 310 of this subchapter by means of a paper tag (Form MP-35) bearing the legend "U.S. Retained."

(3) The "U.S. Rejected" mark which is used to identify insanitary buildings, rooms, or equipment as prescribed in part 416, section 6, of this chapter and is applied by means of a paper tag (Form MP-35) bearing the legend "U.S. Rejected."

(4) The "U.S. Passed for Cooking" mark is applied on products passed for cooking as prescribed in part 310 of this subchapter by means of a brand and is in the following form:

**U.S. PASSED
FOR COOKING**

(5) The "U.S. Inspected and Condemned" mark shall be applied to products condemned as prescribed in part 310 by means of a brand and is in the following form:

**U.S. INSP'D AND
CONDEMNED**

(b) The "U.S. Retained" and "U.S. Rejected" tags, and all other brands, stamps, labels, and other devices approved by the Administrator and bearing any official mark prescribed in paragraph (a) of this section, shall be official devices for purposes of the Act.

[35 FR 15573, Oct. 3, 1970, as amended at 38 FR 29214, Oct. 23, 1973; 39 FR 36000, Oct. 7, 1974; 43 FR 29268, July 7, 1978; 64 FR 36415, Oct. 20, 1999; 65 FR 2284, Jan. 14, 2000]

§312.7 [Reserved]

§312.8 Export inspection marks.

The export inspection mark required in §322.1 of this chapter must be either a mark that contains a unique identifier that links the consignment to the export certificate or an official mark with the following form:¹

¹The number "1234567" is given as an example only. The number on the mark will correspond to the printed number on the export certificate.

§ 312.9



[81 FR 42233, June 29, 2016]

§ 312.9 Official detention marks and devices.

The official mark for articles and livestock detained under part 329 of this subchapter shall be the designation “U.S. Detained” and the official device for applying such mark shall be the official “U.S. Detained” tag (FSIS Form 8400-2) as prescribed in § 329.2 of this subchapter.

[55 FR 47842, Nov. 16, 1990]

§ 312.10 Official mark for maintaining the identity and integrity of samples.

The official mark for use in sealing containers of samples submitted under any requirements in this subchapter and section 202 of the Federal Meat Inspection Act shall bear the designation “Sample Seal” accompanied by the official 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. Such device shall be supplied to inspectors, compliance officers, and other designated Agency officials by the United States Department of Agriculture.



[52 FR 41958, Nov. 2, 1987]

PART 313—HUMANE SLAUGHTER OF LIVESTOCK

Sec.

- 313.1 Livestock pens, driveways and ramps.
- 313.2 Handling of livestock.
- 313.5 Chemical; carbon dioxide
- 313.15 Mechanical; captive bolt.
- 313.16 Mechanical; gunshot.
- 313.30 Electrical; stunning or slaughtering with electric current.
- 313.50 Tagging of equipment, alleyways, pens or compartments to prevent inhumane slaughter or handling in connection with slaughter.
- 313.90 [Reserved]

AUTHORITY: 7 U.S.C. 1901-1906; 21 U.S.C. 601-695; 7 CFR 2.17, 2.55.

SOURCE: 44 FR 68813, Nov. 30, 1979, unless otherwise noted.

§ 313.1 Livestock pens, driveways and ramps.

(a) Livestock pens, driveways and ramps shall be maintained in good repair. They shall be free from sharp or protruding objects which may, in the opinion of the inspector, cause injury or pain to the animals. Loose boards, splintered or broken planking, and unnecessary openings where the head, feet, or legs of an animal may be injured shall be repaired.

(b) Floors of livestock pens, ramps, and driveways shall be constructed and maintained so as to provide good footing for livestock. Slip resistant or wafled floor surfaces, cleated ramps and the use of sand, as appropriate, during winter months are examples of acceptable construction and maintenance.

(c) U.S. Suspects (as defined in § 301.2(xxx)) and dying, diseased, and disabled livestock (as defined in § 301.2(y)) shall be provided with a covered pen sufficient, in the opinion of the inspector, to protect them from the adverse climatic conditions of the locale while awaiting disposition by the inspector.

(d) Livestock pens and driveways shall be so arranged that sharp corners and direction reversal of driven animals are minimized.

[44 FR 68813, Nov. 30, 1979, as amended at 53 FR 49848, Dec. 12, 1988]