

§ 355.1

9 CFR Ch. III (1-1-01 Edition)

APPEALS

355.39 Appeals from decisions made under this part.

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MULE MEAT AND ANIMAL FOOD, MULE MEAT BY-PRODUCT

355.41 Antemortem and postmortem inspection for mules.

355.42 Marking of mule meat and animal food mule meat by-product.

355.43 Scope and applicability of rules of practice.

AUTHORITY: 7 U.S.C. 1622, 1624; 7 CFR 2.17 (g) and (i), 2.55.

SOURCE: 23 FR 10107, Dec. 23, 1958, unless otherwise noted. Redesignated at 30 FR 4195, Mar. 31, 1965.

DEFINITIONS

§ 355.1 Meaning of words.

Words used in this part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

§ 355.2 Terms defined.

When used in this part unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(a) *Person* means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(b) *Program* means the Meat and Poultry Inspection Program of the Food Safety and Inspection Service of the United States Department of Agriculture.

(c) *Circuit supervisor* means an inspector of the Program assigned to supervise and perform official work at a circuit. Such inspector is assigned by and reports directly to the Administrator or other person designated by him.

(d) *Inspector* means an inspector of the Program.

(e) *Inspected plant* means any plant preparing certified products for dogs, cats, or other carnivora at which inspection is maintained under the regulations contained in this part.

(f) *Circuit* means one or more inspected plants assigned to a circuit supervisor.

(g) *Animal protein supplement* means a product containing animal protein and other elements normal to the component for use in compounding a maintenance food for dogs, cats, and other carnivora.

(h) *Products* means the products for dogs, cats, and other carnivora marked, or to be marked, with the certification provided in this part.

(i) *Meat* means the U.S. inspected and passed and so identified clean, wholesome muscle tissue of cattle, sheep, swine, or goats which is skeletal or which is found in the tongue, in the diaphragm, in the heart, or in the esophagus with or without the accompanying and overlying fat and the portions of skin, sinews, nerves, and blood vessels which normally accompany the muscle tissue and which are not separated from it in the process of dressing. It does not include the muscle found in the lips, snout, or ears.

(j) *Animal food meat by-product* means the part other than meat which has been derived from one or more cattle, sheep, swine or goats that have been U.S. Inspected and Passed and is fit for use as animal food.

(k) *Horse meat* means the U.S. inspected and passed and so identified clean, wholesome muscle tissue of horses which is skeletal or which is found in the tongue, in the diaphragm, in the heart, or in the esophagus, with or without the accompanying and overlying fat and the portions of sinews, nerves, and blood vessels which normally accompany the muscle tissue and which are not separated from it in the process of dressing.

(l) *Animal food horse meat by-product* means the part other than meat which has been derived from one or more horses that have been U.S. Inspected and Passed and is fit for use as animal food.

(m) *Mule meat* means the clean, sound, healthful, wholesome muscle tissue derived from mules as determined by antemortem and postmortem inspection by an inspector in accordance with §355.41. It includes muscle tissue which is found in the tongue, in the diaphragm, in the heart or in the

esophagus, with or without the accompanying and overlying fat and the portions of sinews, nerves, and blood vessels which normally accompany the muscle tissue and which are not separated from it in the process of dressing.

(n) *Animal food mule meat by-product* means the part other than meat which has been derived from one or more mules that have been handled in accordance with §355.41 and is fit for use as animal food.

(o) *Bone* means the U.S. inspected and passed and so identified clean, wholesome bone which has been derived from cattle, sheep, swine, goats or horses, or bone derived from mules slaughtered and passed under Program inspection in accordance with §355.41.

(p) *Poultry* means any domesticated bird slaughtered in accordance with the Poultry Products Inspection Act, Public Law 85-172, 85th Congress, S. 1747, dated August 28, 1957 (21 U.S.C. 451 et seq.).

(q) *Poultry product* means any edible part of fresh poultry which have been slaughtered for human food and from which the blood, feathers, feet, head and viscera have been removed in accordance with rules and regulations promulgated by the Secretary of Agriculture.

(r) *Administrator*. The Administrator of the Food Safety and Inspection Service or any officer or employee of the Department to whom authority has heretofore been delegated or may hereafter be delegated to act in his stead.

(s) *Whale meat* means the muscle tissue of whales which is fit for use in animal food.

(t) *Fish* means the whole or part of any aquatic, water breathing vertebrates, commonly designated as fish, which is fit for use in animal food.

(u) *Animal food poultry byproduct* means any portion of carcasses of poultry slaughtered under inspection and passed in accordance with the Poultry Products Inspection Act which is fit for use in animal food.

[23 FR 10107, Dec. 23, 1958, as amended at 25 FR 1356, Feb. 1960; 29 FR 18418, Dec. 25, 1964. Redesignated and amended at 30 FR 4195, Mar. 31, 1965; 32 FR 13115, Sept. 15, 1967; 33 FR 6707, May 2, 1968]

SCOPE OF INSPECTION SERVICE

§ 355.3 Plants eligible for inspection.

Upon application, inspection may be granted at a plant where products are to be prepared, when the Administrator has determined that the application conforms to and the plant meets with the requirements of this part.

APPLICATION FOR INSPECTION, CERTIFICATION, AND IDENTIFICATION

§ 355.4 Application.

The owner or operator of any plant of the kind specified in §355.3 may apply to the Administrator for inspection, certification, and identification. In cases of change of ownership or change of location, new applications shall be made.

(Approved by the Office of Management and Budget under control number 0583-0036)

[23 FR 10107, Dec. 23, 1958. Redesignated at 30 FR 4195, Mar. 31, 1965, and amended at 47 FR 746, Jan. 7, 1982]

§ 355.5 Drawings.

Triplicate copies of complete drawings with specifications, consisting of floor plans showing the locations of such features as the principal pieces of equipment, floor drains, principal drainage lines, hand-washing basins, and hose connections for cleanup purposes; elevations; roof plans when necessary to show size and location of skylights and the like; cross and longitudinal sections of the various buildings, showing such features as principal pieces of equipment, heights of ceilings, conveyor rails, and character of floors, walls, and ceilings; and a plot plan showing relationship of various departments and structures of the plants, properly drawn to scale, shall accompany applications. Where complete approved drawings and specifications are available in the files of the Meat and Poultry Inspection Program, Food Safety and Inspection Service, U.S. Department of Agriculture, covering a plant operating under the supervision of that Program, it will not be necessary that drawings and specifications accompany an application