

90TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
1st Session } No. 653

FEDERAL MEAT INSPECTION ACT

SEPTEMBER 21, 1967.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. POAGE, from the Committee on Agriculture,
submitted the following

REPORT

together with

SUPPLEMENTAL VIEWS AND ADDITIONAL SUPPLEMENTAL VIEWS

[To accompany H.R. 12144]

The Committee on Agriculture, to whom was referred the bill (H.R. 12144) to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

Page 3, line 13, strike the word "territory" and insert in lieu thereof the word "Territory".

Page 3, line 18, strike the word "territory" and insert in lieu thereof the word "Territory".

Page 3, line 19, strike the word "territory" and insert in lieu thereof the word "Territory".

Page 3, line 22, strike the word "territories" and insert in lieu thereof the word "Territories".

Page 10, line 19, strike the word "or" and insert in lieu thereof the word "of".

Page 20, line 13, strike the period and insert the following:

: *Provided further*, That nothing in this section shall apply to any individual who purchases meat or meat products outside the United States for his own consumption except that the total amount of such meat or meat products shall not exceed fifty pounds.

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TITLE I

Title I of the "Federal Meat Inspection Act" would both revise and incorporate various provisions of law now found in the act of March 4, 1907, the Horse Meat Act and the Imported Meat Act.

Specifically, title I would—

- (1) Define various terms and then coordinate these definitions with the Food, Drug, and Cosmetic Act where appropriate.
- (2) Provide a legislative finding that all articles regulated under the act are either in interstate or foreign commerce or are substantially affected by such commerce.
- (3) Make ante mortem inspection mandatory rather than permissive.
- (4) Make products "capable of use as human food" (rather than present act's language "prepared for human consumption") subject to inspection.
- (5) Clarify the authority to limit the entry of meat into federally inspected plants.
- (6) Clarify the Secretary's authority to regulate the marking, labeling, and packaging of meat and meat products shipped from federally inspected plants or distributed in commerce and to prescribe standards for containers.
- (7) Prohibit the slaughter of animals and the preparation of products except when done in compliance with the act.
- (8) Strengthen the prohibition against unauthorized use of an official inspection mark or similar item.
- (9) Require foreign slaughtering and processing facilities to meet the same standards required to be met by U.S. firms operating in interstate commerce.
- (10) Repeal the present farmer and retailer exemptions and replace them with more restrictive exemption provisions.
- (11) Include all equine carcasses, meat and parts thereof, and meat products within the coverage of the act.
- (12) Permit the Secretary to issue appropriate regulations.

TITLE II

Title II deals with the Secretary's authority over unwholesome meat products and would—

- (1) Prohibit Federal inspection under title I of the act of articles not intended as human food.
- (2) Require denaturing of such articles prior to distribution in commerce.
- (3) Require recordkeeping and provide for the Secretary's access to such records by certain persons engaged in processing, handling, or transporting of various human and animal foods and "4-D" animals (i.e., dead, dying, disabled, or diseased).
- (4) Permit registration of certain persons handling, processing, or transporting 4-D animals.
- (5) Prohibit 4-D sales except as provided by the Secretary's regulations.
- (6) Permit the Secretary to take necessary action when and if the States have not adequately met their responsibility to protect the public's meat supply.

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SECTION 3

This section would make a nonsubstantive drafting change by deleting "interstate or foreign" before "commerce" in sections 3 through 23 of title I of the Federal Meat Inspection Act, in view of the definition of "commerce" in section 1 of this bill. It also would make ante mortem inspection mandatory and change the reference to "Secretary of Agriculture" throughout title I of the act to "Secretary," in view of the definition of "Secretary" in section 1 of this bill.

SECTION 4

This section would delete limiting language to make it clear that the post mortem inspection provisions of the act apply more broadly to articles "capable of use as human food" rather than merely to those intended for such use.

SECTION 5

This section would clarify the authority of the Secretary of Agriculture to restrict entry of carcasses, parts thereof, meat, and meat food products into establishments that are federally inspected under title I, to federally inspected articles moved directly from other federally inspected establishments or from other locations under conditions necessary to assure that the articles were federally inspected and are otherwise in compliance with the act. Authority to regulate the entry of other materials would also be clarified.

SECTION 6

The section would clarify the authority of the Secretary of Agriculture to regulate the marking, labeling, and packaging of articles specified in the bill, to prevent the use of false, deceptive or misleading marks, labels, or containers. This section also provides for judicial review of disapproval of marks, labels, and containers comparable to that contained in the Poultry Products Inspection Act (21 U.S.C. 457) which is similar to many of the provisions in this section of the bill. The authority with respect to packaging of articles covered by the bill is comparable to that provided with respect to other articles by the Fair Packaging and Labeling Act (Public Law 89-755).

SECTION 7

This section would strengthen the principal prohibitory section of the act by—

(a) specifically prohibiting the slaughtering of animals or preparation of articles, specified in the bill, for commerce, except in compliance with the act;

(b) prohibiting sale, transportation, and other specified transactions, in commerce, with respect to meat and the other specified articles capable of use as human food if they are adulterated or misbranded or have not been inspected and passed as required by title I. (The present act contains similar prohibitions on distribution in interstate or foreign commerce of noninspected articles which would be repealed.)

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by the States and other jurisdictions as contemplated by this Act are appropriate to prevent and eliminate burdens upon such commerce, to effectively regulate such commerce, and to protect the health and welfare of consumers.

SECTION 3. That hereafter, for the purpose of preventing the use in [interstate or foreign] commerce, as hereinafter provided, of meat and meat food products which are [unsound, unhealthful, unwholesome, or otherwise unfit for human food] *adulterated*, [the Secretary of Agriculture, at his discretion, may] *the Secretary shall* cause to be made, by inspectors appointed for that purpose, an examination and inspection of all [cattle, sheep, swine, and goats] *cattle, sheep, swine, goats, horses, mules, and other equines* before they shall be allowed to enter into any slaughtering, packing, meat-canning, rendering, or similar establishment, in which they are to be slaughtered and the meat and meat food products thereof are to be used in [interstate or foreign] commerce; and all [cattle, swine, sheep, and goats] *cattle, sheep, swine, goats, horses, mules, and other equines* found on such inspection to show symptoms of disease *shall be set apart* and slaughtered separately from all other [cattle, sheep, swine, or goats] *cattle, sheep, swine, goats, horses, mules, or other equines*, and when so slaughtered, the carcasses of said [cattle, sheep, swine, or goats] *cattle, sheep, swine, goats, horses, mules, or other equines* shall *be subject to* a careful examination and inspection, all as provided by the rules and regulations to be prescribed by the Secretary [of Agriculture] as herein provided for.

SEC. 4. That for the purposes hereinbefore set forth the Secretary [of Agriculture] shall cause to be made by inspectors appointed for that purpose, as hereinafter provided, a post-mortem examination and inspection of the carcasses and parts thereof of all [cattle, sheep, swine, and goats] *cattle, sheep, swine, goats, horses, mules, and other equines* to be prepared [for human consumption] at any slaughtering, meat-canning, salting, packing, rendering, or similar establishment in any State, Territory, or the District of Columbia [for transportation or sale] as articles of [interstate or foreign] commerce *which are capable of use as human food*; and the carcasses and parts thereof of all such animals found to be [sound, healthful, wholesome, and fit for human food] *not adulterated* shall be marked, stamped, tagged, or labeled as "Inspected and Passed," and said inspectors shall label, mark, stamp, or tag as "Inspected and Condemned," all carcasses and parts thereof of animals found to be [unsound, unhealthful, unwholesome, or otherwise unfit for human food] *adulterated*; and all carcasses and parts thereof thus inspected and condemned shall be destroyed for food purposes by the said establishment in the presence of an inspector, and the Secretary [of Agriculture] may remove inspectors from any such establishment which fails to so destroy any such condemned carcass or part thereof, and said inspectors, after said first inspection shall, when they deem it necessary, reinspect said carcasses or parts thereof to determine whether since the first inspection the same have become [unsound, unhealthful, unwholesome, or in any way unfit for human food] *adulterated* and if any carcass or any part thereof shall, upon examination and inspection subsequent to the first examination and inspection, be found to be [unsound, unhealthful, unwholesome, or otherwise unfit for human food] *adulterated*, it shall be destroyed for food purposes by the said establishment in the presence of an inspector, and the Secretary [of