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Page 103 - 126



IN THE SPOTLIGHT Proposed Regulation

TITLE 63 CHAPTER 13, SUBCHAPTER III

# territorial register

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## CONTENTS BY AGENCY

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## NOTICE OF PROPOSED REGULATION

TITLE 63

CHAPTER 13, SUBCHAPTER III ......i

### **EXISTING REGULATIONS**

### DEPARTMENT OF RESOURCES AND DEVELOPMENT



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## NOTICE OF PROPOSED REGULATION

The Trust Territory Environmental Protection Board issues this Notice of Proposed Regulation. The proposed regulation is to be adopted as Chapter 13, Subchapter III of Title 63 of the Trust Territory Code of Public Regulations. It is entitled: "Regulations Concerning the Control of Earthmoving and Sedimentation in the Trust Territory of the Pacific Islands."

The regulation is set out hereinafter as proposed. Comments, suggestions, criticisms, and recommendations concerning the proposed regulation are solicited. Such comments, suggestions, criticisms and recommendations must be submitted to the Chairman, Environmental Protection Board, Headquarters, Saipan, Mariana Islands, 96950, on or before November 20, 1974, to be considered by the Board.

## TITLE 63 CHAPTER 13, SUBCHAPTER III REGULATIONS CONCERNING THE CONTROL OF EARTHMOVING AND SEDIMENTATION IN THE TRUST TERRITORY OF THE PACIFIC ISLANDS

#### (Release No. 18-74)

#### PART 1 GENERAL PROVISIONS

1.1 <u>Authority.</u> Under and by virtue of the provisions of Section 5 of Public Law 4C-78 (63 TTC 501 et seq.) the Trust Territory Environmental Quality Protection Act, as amended, as it applies to the Trust Territory of the Pacific Islands, and to the control of earthmoving and sedimentation are hereby promulgated by the Trust Territory Environmental Protection Board with the approval of the High Commissioner.

1.2 <u>Applicability</u>. These regulations shall apply to all earthmoving activities as defined herein, as follow:

(a) Ongoing activities/operations of a continuous nature such as dredging, quarrying, etc., shall be in compliance with these regulations within one year from the effective date.

(b) Construction operations in progress on the effective date thereof other than those cited in Part 4(a) shall comply immediately to the extent possible.

(c) All new projects and new operations that begin on or after the effective date of these regulations.

(d) The Board may grant extensions of the time before the regulations shall apply, on a showing of undue hardship by a person engaged in activities covered by Parts 1.2(a) and (b).

#### PART 2. DEFINITIONS

2.1 <u>Applicability</u>. The following words and terms when used in this sub-chapter, shall have the following meanings, unless the context clearly indicates otherwise:

(a) <u>"The Board"</u> - The Trust Territory Environmental Protection Board or its Executive Officer.

(b) <u>"Person"</u> - The term "person" means an individual, corporation, partnership, association, Trust Territory, or political subdivision thereof, Trust Territory Agency, municipality, commission, foundation or other institution or entity.

(c) "Earthmoving Activity" - Any construction or other activity which disturbs or alters the surface of the land, a coral reef or bottom of a lagoon, including but not limited to excavations, dredging, embankments, land reclamation in a lagoon, land development, subdivision development, mineral extraction, ocean disposal and the moving, depositing or storing of soil, rock, coral, or earth.

(d) <u>"Erosion"</u> - The natural process by which the surface of the land is worn away by the action of water, wind or chemical action.

(e) <u>"Accelerated Erosion</u>" - The removal of the surface of the land through the combined action of man's activities and the natural processes, at a rate greater than would occur by the natural process.

(f) <u>"Sediment"</u> - Soils or other surficial materials transported by water as the result of erosion, earthmoving activity on a reef or in a lagoon, excavation or fill.

(g) <u>"Sedimentation</u>" - The process by which sediment is deposited on the bottom of bodies of water, including, but not limited to, rivers, streams, ponds, lakes, the bottom of lagoons or the tops of underwater reefs.

(h) <u>"Accelerated Sedimentation</u>" - Sedimentation resulting from the combined action of man's activities and the natural processes resulting from storms, heavy rains and the high winds at a rate greater than would result by the natural process.

(i) <u>"Sedimentation Retention Boom</u>" - Such as watertight membrane suspended from floats and weighted to the bottom of water bodies arranged in a linear manner that will confine sediments to the local area of marine earthmoving activity.

(j) <u>"Diversion Terrace</u>" - A channel or dike constructed upslope of a project for the purpose of diverting storm water away from the unprotected slope.

(k) "Conveyance Channel" - A channel other than an interceptor channel used for the conveyance of water through a project area.

(1) <u>"Intercepter Channel"</u> - A channel or dike constructed across a slope for the purpose of intercepting storm water, reducing the velocity of water flow, and diverting it to outlets where it can be disposed.

(m) "Embankment or Fill" - A deposit of soil, rock, or other material placed by man.

(n) <u>"Excavation</u>" - A cavity formed by, but not limited to, quarrying, dredging, uncovering, displacing, or relocating soil, coral, or rock.

(o) <u>"Land Developer</u>" - Any person who is engaged in land development as the principal, rather than an agent or contractor.

(p) "Land Development" - The construction, installing, placing, planting, or building of surface structures, land reclamation, navigation channels, harbors, utility lines, piers, shopping centers and malls, causeways, golf courses, apartment complexes, hotels, schools, roads, highways, parking areas or any other similar activities.

(q) <u>"Stabilization</u>" - The proper placing, grading and/or covering of soil, rock or earth, including the use of vegetation, to insure their resistance to erosion, sliding or other movement.

(r) <u>"Subdivision</u>" - The division or redivision of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels, or other division of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building or lot development.

#### PART 3. GENERAL REQUIREMENTS

3.1 All earthmoving activities within the Trust Territory of the Pacific Islands shall be conducted in accordance with the regulations and in such a way as to prevent accelerated erosion and acceleration of sedimentation. To accomplish this, all persons engaged in earthmoving activities shall design, implement and maintain erosion and sedimentation control measures which effectively prevent accelerated erosion and accelerated sedimentation. These erosion and sedimentation control measures which effectively prevent accelerated erosion and accelerated sedimentation must be set forth in a plan as described in Part 4 of this subchapter and must be available at all times at the site of the activity, and must if a permit is requested by Part 7.1 be filed with the Board or its designee.

## PART 4 EROSION AND SEDIMENTATION CONTROL PLAN

4.1 The erosion and sedimentation control plan shall be prepared by a person trained and experienced in erosion and sedimentation control methods and techniques.

4.2 The erosion and sedimentation control plan shall be

designed to prevent acceleration of erosion and acceleration of sedimentation and shall consider all factors which contribute to erosion and sedimentation, including, but not limited to, the following:

(a) The topographic and/or hydrographic features of the project area.

(b) The types, depth, slope and areal extent of the soils, coral and/or reef.

(c) The original state of the area as to plant and animal life.

(d) Whether any coral reef which may be affected by the earthmoving is alive or dead.

(e) The proposed alteration to the area.

(f) The amount of runoff from the project area and the upstream watershed area.

(g) The staging of earthmoving activities.

(h) Temporary control measures and facilities for use during earthmoving activity.

(i) Permanent control measures and facilities for long term protection; and

(j) A maintenance program for the control facilities including disposal of materials removed from the control facilities or project area.

4.3 If the project involves an earthmoving activity in a lagoon or on a reef or any body of water the plan shall involve showing marine life populations as well as maximum and minimum turbidities. The baseline study shall be made prior to any earthmoving activity by a person trained and experience in aquatic biology.

## PART 5 EROSION AND SEDIMENTATION CONTROL MEASURES AND ACTIVITIES

5.1 <u>General Requirement</u>. The erosion and sedimentation control facilities set forth in Parts 5.2 and 5.3 of this subchapter (relating to control measures and facilities) shall be approximately incorporated into all earthmoving activities unless the designer of the erosion and sedimentation control plan shows that alteration of these

ii

measures and facilities or inclusion of other measures and facilities will prevent accelerated erosion and accelerated sedimentation.

#### 5.2 Control Measures.

(a) <u>Limiting exposed areas.</u> All earthmoving activities shall be planned in such a manner as to minimize the areal extent of disturbed land, reef or lagoon.

(b) <u>Containment of Underwater Sedimentation</u>. All sedimentation resulting from underwater earthmoving activities shall be contained, confined and restricted by the best available technology in such a manner that tubidities resulting will be kept to a minimum.

(c) <u>Velocity Control.</u> All permanent facilities for the conveyance of water around, through or from the project shall be designed or contain appurtenances to limit the velocity of flow in the facilities to less than 1.5 feet per second.

(d) <u>Stabilization</u>. All slopes, channels, ditches or any disturbed area shall be stabilized as soon as possible after the final grade or final earthmoving has been completed within a section or area of the project.

(e) <u>Containment of Fills and Reclaimed Land within</u> <u>Bodies of Water, Tidal Pools/Zones, or within Flood Plains</u> <u>or Zones.</u> Before filling or land development within a body of water or within a tidal zone or within a flood plain or zone, adequate sea walls and/or breakwater facilities shall be constructed to safely contain the fill without failure and to prevent accelerated sedimentation.

(f) <u>Interim Stabilization</u>. Where it is not possible to permanently stabilize a disturbed area immediately after the final earthmoving has been completed or where the activity ceases for more than 20 days, interim stabilization measures shall be promptly implemented.

(g) <u>Collection of Runoff.</u> All runoff from a project area shall be collected and diverted to facilities for removal of sediment.

(h) <u>Solids Separation</u>. Runoff from a project area shall not be discharged to the waters of the Trust Territory of the Pacific Islands without effective means to prevent sedimentation.

#### 5.3 Control Facilities.

(a) <u>Sedimentation Retention Booms</u>. These facilities as defined under Part 2.1 will be used to restrict accelerated sedimentation around earthmoving or earth disturbing activity on reefs or in lagoons in all cases, except when a finding has been made that after actual demonstration that no facilities are needed to prevent accelerated, sedimentation. Approval of use of alternate facilities or a finding that no facilities are necessary must be by the Board, its Executive Officer, or other designee.

#### (b) Diversion Terraces.

(1) Diversion terraces shall be constructed up-grade of a project area to convey runoff around the project area. For temporary diversion the channel shall have a capacity to convey 2.0 cubic feet per second per acre of land tributary to it. For permanent diversion, the channel shall have a capacity to convey 4.0 cubic feet per second per acre of land tributary to it.

(2) Diversion terraces shall be grassed or lined with erosion resistant material to prevent accelerated erosion within the channel.

(3) Outlet structures shall be designed to maintain a discharge velocity of less than 3.0 feet per second and shall be stabilized before use.

(c) <u>Seawall and Breakwater Facilities</u>. Seawalls and/or breakwaters to contain fill or reclaimed land shall be sufficiently watertight to prevent accelerated sedimentation, well constructed on a solid foundation, and to a level at least two feet above the highest tide or flood level of historical knowledge, and those facilities shall be planned, designed and constructed under the direction of a person trained and experienced in building seawalls and breakwater facilities. In cases where the bottom of footings for seawall or breakwater facilities must be placed below the level of mean low tide, the facilities shall be planned, designed and constructed under the direction of an engineer trained and experienced in the building of such structures, and licensed to practice at least in one of the states or territories of the United States.

(d) Interceptor Channels.

(1) Interceptor channels may be used within a project area to reduce the velocity of flow and thus prevent accelerated erosion.

(2) Water collected by interceptor channels shall be conveyed to sedimentation basins or to vegetated areas but not directly to streams.

(3) Outlets to vegetated areas shall be designed to maintain an outlet velocity of less than 3.0 feet per second.

(e) <u>Channels of Conveyance</u>. All channels used to convey water through a project area shall be designed to have a velocity of less than 1.5 feet per second. Where this is not possible, the channel shall be grassed or lined with erosion resistant materials.

(f) Solids Separation Facilities.

(1) A basin for settling solids out of water shall have a capacity of not less than 8,000 cubic feet for each acre of disturbed project area which drains into the basin.

(2) The basin shall be cleaned when the settling of solids

has reduced its capacity to not more than 6,000 cubic feet for each acre of disturbed project area which drains into the settling basin.

(3) Outlet structures shall be designed to pass a minimum of 2.5 cubic feet per second for each acre of project area which drains into the basin.

(4) The outlet structure from a sedimentation basin shall discharge to a natural waterway.

(5) Sedimentation basin shall be structurally sound and protected from unauthorized acts of their parties.

(g) <u>Hydraulic Dredged Fills.</u> The discharge from pumps or hydraulic dredges used to construct fills shall be sufficiently treated and retained long enough with dikes, levees, seawalls or other structures that accelerated sedimentation will not take place in the waters of Micronesia which receive the effluent. Transmission pipelines transporting fill material will be maintained in a watertight condition at all times of excavation and fill operation.

(h) <u>Ocean-going Barges</u>, <u>Scows or Vessels for Hauling</u> <u>Dredged Soil</u>. Such vessels operating in waters of the Trust Territory will be sufficiently tight and secure that accelerated sedimentation will not occur by reason of leaking or premature dumping due to faulty mechanism.

#### **PART 6. RESTORATION**

6.1 <u>Applicability</u>. The provisions of this Part shall apply to all earthmoving activities which have not been stabilized.

6.2 <u>Stabilization</u>. Upon completion of the project, all areas which were disturbed by the project shall be stabilized so that accelerated erosion and/or accelerated sedimentation will be prevented.

6.3 <u>Interim Control Measure</u>. Any erosion and sedimentation control facility required or necessary to protect areas from erosion during the stabilization period shall be maintained until stabilization is completed.

6.4 <u>Final Measures.</u> Upon completion of stabilization, all unnecessary or unusable control facilities shall be removed, the areas shall be graded and the soils shall be stabilized.

#### PART 7 PERMITS

#### 7.1 Permit Required.

(a) Any person who engages in an earthmoving activity within the Trust Territory of the Pacific Islands shall first obtain from the Board or its designee a permit for the proposed activity except that no permit is required for the following:

(1) Where the earthmoving activity involves plowing or tilling for agricultural purposes.

(2) Where the earthmoving activity is for the purpose of erecting a one or two family residence.

(b) Those persons who qualify under the provisions of (a) (1) and (2) above to engage in earth moving activities without a permit must otherwise comply with all of the provisions of this subchapter.

#### 7.2 Application for Permit.

(a) Application for permits shall be on a form approved by the Board and shall be submitted by the person

undertaking the earthmoving activity. In the case of land development, the application shall be submitted by the land developer rather than the contractor or agent.

(b) Applications shall be accompanied by an erosion and sedimentation control plan and such other documents as the Board may require.

(c) Applications shall be accompanied by a processing fee of \$100.00, which is not refundable, except that no fee is required by the Government of the Trust Territory.

(d) The Board may, prior to the issuance of a permit or to the denial of a permit, hold a public hearing to determine the facts on which to base a decision. Such public hearing shall be on notice as set out below, in 7.3.

7.3 Violations. If the Board finds that a person required to have a permit is engaging in earthmoving activity without a permit, or if the Board finds that a person, with or without a permit, is in violation of any provision of this subchapter, the Board may give notice to the persons of intent to issue an order to cease and desist or to order compliance forthwith with this subchapter or an order that they take remedial and preventive action. In event of such notice to the person or persons, a request may be made by the person or persons affected to the Board, within five days after service thereof, that the Board hold a public hearing on the proposed order or orders. On receipt of this request a public hearing shall be held in accordance with applicable provisions of 63 TTC 506, 507, and 508, as amended, and with applicable provisions of Public Law 5-86. The Board may, at the conclusion of the hearing, or, if none required, at the expiration of the time set in the notice, issue the proposed order or orders. The order or orders shall be final on issuance by the Board.

7.4 Persons adversely affected by an order of the Board made after hearing in accordance with 7.3 above may proceed, pursuant to 63 TTC 508, to request review by the High Court.

7.5 Any person who intentionally or negligently violates a Cease and Desist Order or other order of compliance with this subsection, shall be liable for fines and penalties as provided in 63 TTC 509, as amended.

iiii

## PART 8 RESPONSIBILITIES OF LOCAL GOVERNING BODIES

8.1 Any person who issues loans or permits to build shall notify the Board or its Executive Officer immediately upon receipt of an application for a loan or building permit involving an earthmoving activity, by forwarding to the Board a copy of the application. 8.2 <u>Withholding Loans or Building Permits.</u> No person shall issue a loan or building permit to those engaged in earthmoving activities requiring a Board permit until the Board or its authorized representative has issued the permit pursuant to Parts 7.1 and 7.2 of this subchapter or determined that no permit is required.

#### TERRITORIAL REGISTER, VOL. 1 NO. 4 – OCTOBER 15, 1974

iiiii

## **EXISTING REGULATIONS**

This section of the Territorial Register contains regulations having general applicability and legal effect, adopted prior to July 1, 1974, which are now published pursuant to Public Law 5-86 and are to be compiled and codified pursuant to Public Laws 5-86 and 1-3.

## DEPARTMENT OF RESOURCES AND DEVELOPMENT

#### DIVISION OF AGRICULTURE TITLE 25 ANIMALS & PLANTS—QUARANTINE CONTROL CHAPTER XIII

zz. "Supervision." The controls, as prescribed in instructions to Program employees, to be exercised by them over particular operations to insure that such operations are conducted in compliance with the Act and the regulations in this chapter.

aaa. "Further processing." Smoking, cooking, canning, curing, refining, or rendering in an official establishment of product previously prepared in official establishments.

bbb. "Artificial flavoring." A flavoring containing any sapid or aromatic constituent, which constituent was manufactured by a process of synthesis or other similar artifice.

ccc. "Artificial coloring." A coloring containing any dye or pigment, which dye or pigment was manufactured by a process of synthesis or other similar artifice, or a coloring which was manufactured by extracting natural dye or natural pigment from a plant of other material in which such dye or pigment was naturally produced.

ddd. "Chemical preservative." Any chemical that, when added to a meat or meat food product, tends to prevent or retard deterioration thereof, but does not include common salt, sugars, vinegars, spices, or oils extracted from spices or substances added to meat and meat food products by exposure to wood smoke.

Other definitions if any, that are applicable only for purposes of a specific part of the regulations in this chapter, are set forth in such part.

## PART 102. APPLICATION OF INSPECTION AND OTHER REQUIREMENTS

#### 102.1 Establishments Requiring Inspection.

a. Inspection under the regulations in this chapter is required at:

(1) Every establishment in which any livestock are slaughtered for transportation or sale as articles of export commerce.

(2) Every establishment, except as provided in Part 103.1 (a) or (d) of this chapter, within the Trust Territory, at which any livestock are slaughtered or any products of any livestock are prepared, for use as human food solely for export.

102.2 <u>Livestock and Products Entering Official</u> <u>Establishments.</u> All livestock and all products entering any official establishment and all products prepared, in whole or in part, therein, shall be inspected, handled, stored, prepared, packaged, marked, and labeled as required by the regulations in this chapter.

#### PART 103. EXEMPTIONS

#### 103.1 Exemptions

a. The requirements of the Act and the regulations in this chapter for inspection of the preparation of products do not apply to:

(1) The slaughtering by any individual of livestock of his own raising, and the preparation by him and transportation in commerce of the carcasses, parts thereof, meat and meat food products of such livestock exclusively for use by him and members of his household and his nonpaying guests and employees;

(2) The custom slaughter by any person of cattle, sheep, swine, or goats delivered by the owner thereof for such slaughter and the preparation by such slaughterer and transportation in commerce of the carcasses, parts thereof, meat and meat food products of such livestock, exclusively for use, in the household of such owner, by him and members of his household and his nonpaying guests and employees; nor to the custom preparation by any person of carcasses, parts thereof, meat or meat food products derived from the slaughter by any individual of cattle, sheep, swine, or goats of his own raising or from game animals, delivered by the owner thereof for such custom preparation, and transportation in commerce of such custom prepared areticles, exclusively for use in the household of such owner, by him and members of his household and his nonpaying guests and employees:

Provided, that the following requirements are met by such custom operator;

(i) The establishment in which the custom operations are conducted is maintained and operated in accordance with the requirements of 108.3 through 108.14 of this chapter.

(ii) If the custom operator prepares or handles any products for sale, they are kept separate and apart from the custom prepared products at all times while the latter are in his custody;

(iii) The custom prepared products are plainly marked "Not for Sale" as provided in 115.16 of this chapter, immediately after being prepared and are kept so identified until delivered to the owner; and

(iv) If exempted custom slaughtering or other preparation of products is conducted in an official establishment, all facilities and equipment in the official establishment used for such custom operations shall be thoroughly cleaned and sanitized before they are used for preparing any products for sale.

b. (1) The exempted custom prepared products shall be prepared and handled in accordance with 117.5, 117.6, 117.7, 117.10, and 117.11 and Part 118 of this chapter and shall not be adulterated as defined in Part 101.2(u).

(2) The exempted custom prepared products shall comply with the requirements of 115.16 and 116.16 of this chapter.

(3) The custom operators claiming exemption under paragraph (a) (2) of this section shall keep records, in addition to records otherwise required by Part 119 of this chapter, showing the numbers and kinds of livestock slaughtered on a custom basis, and the names and addresses of the owners of the livestock and products.

(4) Articles capable of use as human food, resulting from the exempted custom slaughter or other preparation of products shall be promptly denatured or otherwise identified and not removed from the establishment where the custom operations are conducted until so identified, unless they are delivered to the owner of the articles for use in accordance with paragraph (a) (2) of this section.

c. The Chief in specific cases may modify, by relieving, the inspection and related requirements of the regulations in this chapter when he determines that application of the modified requirements will be adequate to effectuate the purposes of the Act.

PART 104. APPLICATION FOR INSPECTION; GRANT OR REFUSAL OF INSPECTION

#### 104.1 Application for Inspection; Tenants; Subsidiaries.

a. Before the inspection is granted, the operator of such

establishment of the kind required by 102.1 of this chapter to have inspection shall make application therefor to the Chief as provided in this part.

b. Every application under this section shall be made on a form furnished by the Program, Agriculture Division, Trust Territory of the Pacific Islands, and shall include all information called for by that form including the name, address, and type of legal entity of any tenant, and the name and principal office address of any subsidiary corporation that will prepare product or conduct any other operation at the establishment for which inspection is requested. The applicant for inspection will be held responsible for compliance by all such tenants or subsidiaries with the Act and the regulations in this chapter at such establishment if inspection is granted. Such tenants and subsidiaries will also be held responsible for compliance with the Act and regulations in this chapter. Preparation of product and other operations at the establishment for which inspection is granted may be conducted only by the applicant and any of his tenants and subsidiary corporations named in the application.

c. In cases of change of ownership, location, tenants or subsidiaries, a new application shall be made.

104.2 <u>Drawings, Information to be Furnished; Grant or</u> Refusal of Inspection.

a. Each applicant for inspection shall submit to the Program, four copies of:

(1) Complete drawings with specifications of the floor plans of the establishment for which inspection is requested, showing the locations of principal pieces of equipment, floor drains, principal drainage lines, hand-washing basins, and hose connection for cleanup purpose;

(2) A plot plan showing the limits of the establishments's premises, locations in outline of buildings on the premises, cardinal points of the compass, and roadways serving the establishment; and

(3) A room schedule showing the finish of walls, floors and ceiling of all rooms in the establishment. The specifications shall include statements describing the water supply, plumbing, drainage, refrigeration, equipment, lighting, and operations of the establishment related to sanitation and proper performance of inspection. Applicants for inspection may request information from the Chief concerning the requirements before submitting drawings and other documents required by this paragraph.

b. Notice in writing shall be given to each applicant granted inspection, specifying the establishment to which the grant applies.

c. The Chief is authorized to grant inspection upon his determination that the applicant and the establishment

TERRITORIAL REGISTER, VOL. 1 NO. 4 – OCTOBER 15, 1974

104

are eligible therefor and to refuse to grant inspection at any establishment if he determines that it does not meet the requirements of this part or the regulations in Parts 105, 107, and 108 of this chapter or that the applicant has not received approval of labeling and containers to be used at the establishment as required by the regulations in Parts 115 and 116 of this chapter. When inspection is refused for any reason, the applicant shall be informed of the action and the reasons therefor and afforded an opportunity to present his views.

d. Any applicant for inspection at an establishment where the operations thereof may result in any discharge into the navigable waters in the Trust Territory of the Pacific Islands is required to provide the Chief with a certification that there is reasonable assurance that such activity will be conducted in a manner which will not violate the applicable water quality standards.

PART 105. OFFICIAL NUMBERS; INAUGURATION OF INSPECTION; WITHDRAWAL OF INSPECTION; REPORTS OF VIOLATION

#### 105.1 Official Numbers; Subsidiaries and Tenants.

a. An official number shall be assigned to each establishment granted inspection. Such number shall be used to identify all inspected and passed products prepared in the establishment. More than one number shall not be assigned to an establishment.

b. Two or more official establishments under the same ownership or control may be granted the same official number, provided a serial letter is added in each case to identify each establishment and the products thereof.

c. When inspection has been granted to any applicant at an establishment, it shall not be granted to any other person at the same establishment, except that a subsidiary or tenant of the grantee, preparing any product at the establishment, may receive inspection at the same establishment.

#### 105.2 Separation of Official Establishments.

a. Each official establishment shall be separate and distinct from any unofficial establishment except a poultry products processing establishment operated under Trust Territory Inspection.

b. Inspection shall not be inaugurated in any building, any part of which is used as living quarters, unless the part for which inspection is requested is separated from such quarters by floors, walls and ceilings of solid concrete, brick, wood, or similar materials, and the floors, walls, and ceilings are without openings that directly or indirectly communicate with any part of the building used as living quarters.

105.3 <u>Sanitation and Adequate Facilities</u>. Inspection shall not be inaugurated if an establishment is not in a

sanitary condition nor unless the establishment agrees to maintain a sanitary condition and provides adequate facilities for conducting such inspection.

105.4 <u>Inauguration of Inspection</u>. When inspection is granted, the officer in charge shall, at or prior to the inauguration of inspection, inform the operator of the establishment of the requirements of the regulations in this chapter. If the establishment, at the time inspection is inaugurated, contains any product which has not theretofore been inspected, passed, and marked in compliance with the regulations in this chapter, the identity of the same shall be maintained, and it shall not be distributed in commerce, or otherwise subject to the requirements of such regulations, or dealt with as inspected and passed under the regulation. The establishment shall adopt and enforce all necessary measures and shall comply with all such directions as the officer in charge may prescribe, for carrying out the purposes of this section.

#### 105.5 Withdrawal of Inspection; Statement of Policy.

a. The Chief is authorized to withdraw inspection from an official establishment where the sanitary conditions are such that its products are rendered adulterated, or for failure of the operator to destroy condemned products as required by the Act and the regulations in this chapter.

b. Inspection service may be withheld when the operator of any official establishment or tenant therein, or any officer, employee, or agent of any such operator or any subsidiary or tenant therein, acting within the scope of his office, employment or agency forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any Program employee while engaged in or on account of the performance of his official duties under the Act. This withholding of inspection will continue in effect until assurances acceptable to the Chief are received that there cannot be any recurrence.

105.6 <u>Reports of Violations</u>. Program employees shall report, in a manner prescribed by the Chief, all violations of the Act or regulations in this chapter of which they have information.

## PART 106. ASSIGNMENT AND AUTHORITIES OF PROGRAM EMPLOYEES

106.1 Designation of Officer in Charge and Assistants. The Chief shall designate an officer in charge of the inspection in each circuit, and assign to said inspector such assistants as may be necessary.

106.2 <u>Program Employees to Have Access to</u> <u>Establishments.</u> For the purpose of any examination or inspection necessary to prevent the export of any adulterated product, Program employees shall have access at all times, by day or night, whether the establishment is operated or not, to every part of any official establishment to which they are assigned.

<u>106.3 Badge as Identification of Inspectors.</u> Each inspector will be furnished with a numbered official badge, which he shall not allow to leave his possession, and which he shall wear in such manner and at such times as the Chief may prescribe. This badge shall be sufficient identification to entitle him to admittance at all regular entrances and to all parts of the establishment and premises to which he is assigned.

#### 106.4 Assignment of Program Employees Where Members of Family Employed; Soliciting Employment; Procuring Product From Official Establishments.

a. Except as specifically authorized by the Chief, no program employee shall be detailed for duty at an establishment where any member of his family is employed by the operator of the establishment, or any tenant or subsidiary of such operator, nor shall any officer in charge or other employee acting in a supervisory capacity be continued on duty at a circuit where any member of his family is so employed at any establishment under his jurisdiction. Program employees are forbidden, to solicit, for any person, employment at any official establishment, or by any officer, manager, or employee thereof.

b. Program employess shall not procure product from any official establishment of any other establishment if its operations or products are inspected or regulated under the Act or any other law adminsitered by the Division unless the store or outlet from which the purchase is made is open to the general public and the price paid by such employee is the same as the price paid by the general public. Program employees must pay, and obtain receipts for money paid to such establishments for all such product and keep such receipts subject to inspection by supervisory employees or other authorized Division employees.

106.5 <u>Appeals</u>. Any appeal from a decision of any Program employee shall be made to his immediate supervisor having jurisdiction over the subject matter of the appeal, except as otherwise provided in the applicable rules of practice.

#### PART 107. FACILITIES FOR INSPECTION

107.1 Facilities for Program Employees. Office space, including necessary furnishings, light, heat, and janitor service, shall be provided by official establishments, rent free, for the exclusive use for official purposes of the inspector and other Program employees assigned thereto. The space set aside for this purpose shall meet with a pproval of the officer in charge and shall be conveniently located, properly ventilated and provided with lockers suitable for the protection and storage of Program supplies and with facilities suitable for Program employees to change clothing if such clothes changing facilities are deemed necessary by the officer in charge. At the discretion of the Chief, small plants requiring the services of less than one full time inspector need not furnish facilities for Program employees as prescribed in this section, where adequate facilities exist in a nearby convenient location. Laundry service for inspectors outer work clothing shall be provided by each establishment.

107.2 Other Facilities and Conditions to be Provided by Establishment. When required by the officer in charge, the following facilities and conditions, and such others as may be found to be essential to efficient conduct of inspection and maintenance of sanitary conditions, shall be provided by each official establishment:

a. Satisfactory pens, equipment, and assistants for conducting ante-mortem inspection and for separating, marking and holding apart from passed livestock those marked "T T. suspect" and those marked "T T. condemned" (Pens, alleys, and runways shall be paved, drained and supplied with adequate hose connections for cleanup purposes);

b. Sufficient light to be adequate for proper conduct of inspection;

c. Racks, receptacles, or other suitable devices for retaining such parts as the head, tongue, tail thymus gland, and viscera, and all parts and blood to be used in the preparation of meat food products or medical products, until after the post-mortem examination is completed, in order that they may be identified in case of condemnation of the carcass; equipment, trucks, and receptacles for the handling of viscera of slaughtered animals so as to prevent contact with the floor; and trucks, racks, marked receptacles, tables, and other necessary equipment for the separate and sanitary handling of carcasses or parts passed for cooking;

d. Tables, benches, and other equipment on which inspection is to be performed, of such design, material, and construction as to enable Program employees to conduct their inspection in a ready, efficient and clean manner;

e. Watertight metal trucks or receptacles for holding and handling diseased carcasses and parts, so constructed as to be readily cleaned; such trucks or receptacles to be marked in a conspicuous manner with the phrase "T T. condemned" in letters not less than 2 inches high and, when required by the officer in charge, to be equipped with facilities for locking or sealing;

f. Adequate arrangements, including liquid soap and cleansers, for cleaning and disinfecting hands, for sterilizing all implements used in dressing diseased carcasses, floors, and such other articles and places as may be contaminated by diseased carcasses or otherwise;

g. In establishments in which slaughtering is done, rooms, compartments, or specially prepared open places, to be known as "final inspection places," at which the final inspection of retained carcasses may be conducted

(competent assistants for handling retained carcasses and parts shall be provided by the establishment; final inspection places shall be adequate in size and their rail arrangement and other equipment shall be sufficient to prevent carcasses and parts passed for food or cooking, from being contaminated by contact with condemned carcasses or parts; they shall be equipped with hot water, lavatory, sterilizer, tables, and other equipment required for ready, efficient, and sanitary conduct of the inspection; the floors shall be of such construction as to facilitate the maintenance of sanitary conditions and shall have proper drainage connections, and when the final inspection place is part of a larger floor, it shall be separated from the rest of the floor by a curb, railing, or otherwise);

h. Retention rooms, cages, or other compartments, and receptacles in which carcasses and product may be held for further inspection (these shall be in such number and in such locations as the needs of the inspection in the establishment may require; they shall be equipped for secure locking or sealing and shall be held under locks or official seals furnished by the Division; the keys of such locks shall not leave the custody of Program employees. Every such room, compartment, or receptacles shall be marked conspicuously with the phrase "R.T. retained" in letters not less than 2 inches high; rooms or compartments for these purposes shall be secure and susceptible of being keptclean, including a sanitary disposal of the floor liquids; establishment employees shall not enter any retention rooms or compartments or open any retention receptacles unless authorized by Program employees);

i. Adequate facilities, including denaturing materials, for the proper disposal of condemned articles in accordance with the regulations in this chapter (tanks or other rendering equipment which, under the regulations in this chapter, must be sealed, shall be properly equipped for sealing as specified by the regulations in Part 113 of this chapter or by the officer in charge in specific cases);

j. Docks and receiving rooms, to be designated by the operator of the official establishment, with the officer in charge, for the receipt and inspection of all products as provided in 117.3 of this chapter;

k. Suitable lockers in which brands bearing the official inspection legend and other official devices (excluding labels) and official certificates shall be kept when not in use (all such lockers shall be equipped for sealing or locking with locks or seals to be supplied by the Division; the keys of such locks shall not leave the custody of program employees);

(1) Sanitary facilities and accommodations as prescribed by 108.4 of this chapter.

107.3 <u>Inspectors to Furnish Implements and Maintain</u> <u>Hands and Implements in Sanitary Condition</u>. Inspectors shall furnish their own work clothing and implements, such as flashlights and triers, for conducting inspection and shall cleanse their hands and implements as prescribed by 108.8 of this chapter.

107.4 Hours of Operation of Official Establishments. The operator of each official establishment shall inform the officer in charge, or assistant, when work in each department has been concluded for the day, and of the day and hour when work will be resumed therein. Whenever any product is to be overhauled or otherwise handled in an official establishment during unusual hours, the establishment operator shall, a reasonable time in advance, notify the officer in charge or his assistant, of the day and hour when such work will be commenced and such products shall not be so handled prior to that time and except after such notice has been given. No department of an official establishment in which are conducted operations requiring inspection shall be operated except under the supervision of a Program employee. All slaughtering of livestock and preparation of products shall be done within reasonable hours, and with reasonable speed, the facilities of the establishment being considered.

107.5 <u>Designation of Days and Hours of Operation by</u> <u>Officer in Charge.</u> When one inspector is detailed to conduct the work at two or more official establishments where few livestock are slaughtered or where but a small quantity of any product is prepared, the officer in charge may designate the hours of the day and the days of the week during which operations requiring inspection in such establishments may be conducted;

#### 107.6 Overtime Work of Program Inspectors.

a. The management of an official establishment desiring to work under conditions which will require the services of a Program inspector on any Saturday, Sunday, or holiday, or for more than 8 hours on any other day, shall, sufficiently in advance of the period of overtime, request the officer in charge or his assistant to furnish inspection service during such overtime period, and shall pay the Chief therefor \$5.40 per hour per Program inspector to reimburse the Program for the cost of the inspections services so furnished.

b. Holidays for T. T. shall be the 1st day of January, 22nd day of February, 30th day of May, 4th day of July, 1st Monday of September, 11th day of November, 4th Thursday of November, 25th day of December, and any other calendar day designated as a holiday by T.T. statute or Executive order. When any of the above-listed holidays fall on a weekday, that day becomes a holiday. When a holiday falls on Saturday, the preceding workday (Friday) will become a holiday. When a holiday falls on Sunday, the next workday (Monday) will become a holiday.

#### PART 108. SANITATION

108.1 Examination and Specifications for Equipment and

Sanitation Prior to Granting Inspection. Prior to the inauguration of inspection, an examination of the establishment and premises shall be made by a Program employee and the requirements for sanitation and the necessary facilities for inspection shall be specified by him in accordance with the regulations in this part and Part 107 of this chapter.

108.2 Drawings and Specifications to be Furnished in Advance of Construction. Four copies of drawings with specifications, plot plan and room schedule, as prescribed in Section 104.2 of this chapter, for remodeling any official establishment, or part thereof, and for new structures to be used in an official establishment or part thereof, shall be submitted to the Chief and approval obtained for the plans in advance of construction.

108.3 Establishments: Sanitary Condition; Requirements.

a. Official establishments shall be maintained in sanitary condition, and to this end the requirements of this section shall be complied with.

b. There shall be abundant light, of good quality and well distributed, and sufficient ventilation for all rooms and compartments to insure sanitary condition.

c. There shall be an efficient drainage and plumbing system for the establishment and premises, and all drains and gutters shall be properly installed with traps and vents approved by the officer in charge.

d. (1) The water supply shall be ample, clean, and potable, with adequate facilities for its distribution in the plant and its protection against contamination and pollution. Every establishment shall make known and, whenever required by the officer in charge, shall afford opportunity for inspection of the source of its water supply, the storage facilities, and the distribution system. Equipment using potable water shall be so installed as to prevent back-siphonage into the potable water system. Nonpotable water is permitted only in those parts of official establishments where no edible product is handled or prepared, and then only for limited purposes such as on ammonia condensers not connected with the potable water supply, in vapor lines serving inedible product rendering tanks, in connection with equipment used for hashing and washing inedible products preparatory to tanking, and in sewer lines for moving heavy solids in the sewage. Non-potable water is not permitted for washing floor, areas, or equipment involved in trucking materials to and from edible product departments nor is it permitted in hog scalding vats, dehairing machines, or vapor lines serving edible product rendering equipment, or for cleanup shackling pens, bleeding areas, or runways within the slaughtering department. In all cases, non-potable waterlines shall be clearly identified and shall not be cross-connected with the potable water supply unless this is necessary for fire protection and such connection is of a type with an adequate break to

assure against accidental contamination, and is approved by local authorites and by the officer in charge.

(2) The officer in charge may permit the reuse of water in vapor lines leading from deodorizers used in the preparation of lard and similar edible product and in equipment used for the chilling of canned product after retorting, provided the reuse is for the identical original purpose and the following precautions are taken to protect the water that is reused:

(i) All pipelines, reservoirs, tanks, cooling towers, and like equipment employed in handling the reused water are so constructed and installed as to facilitate their cleaning and inspection.

(ii) Complete drainage and disposal of the reused water, effective cleaning of the equipment, and renewal with fresh potable water is accomplished at such intervals as may be necessary to assure an acceptable supply of water for the purpose intended.

(iii) Effective chlorination (not less than approximately 1 part per million of residual chlorine at any point within the cooling system) of the reused water utilized for cooling canned product is maintained but with the understanding that chlorination alone is not to be relied upon entirely or to be accepted in lieu of the requirements listed in subdivisions (i) and (ii) of this subparagraph.

(3) Approval for the reuse of water other than as specified in subparagraph (2) of this paragraph shall be obtained from the Chief in specific cases.

(4) An ample supply of water at not less than  $180^{\circ}$  F. shall be furnished and used for the cleaning of inspection equipment and other equipment, floors, and walls which are subject to contamination by the dressing or handling of diseased carcasses, their viscera, and other parts. Whenever necessary to determine compliance with this requirement, conveniently located thermometers shall be installed by the operator of the official establishment to show the temperature of the water at the point of use.

(5) Hot water for cleaning rooms and equipment other than those mentioned in subparagraph (4) of this paragraph shall be delivered under pressure to sufficient convenient outlets and shall be of such temperature as to accomplish a thorough cleanup.

e. The floors, walls, ceilings, partitions, posts, doors, and other parts of all structures shall be of such materials, construction, and finish as will make them susceptible of being readily and thoroughly cleaned. The floors shall be kept watertight. The rooms and compartments used for edible product shall be separate and distinct from those used for inedible product.

f. Rails should be located and passageway space provided

so that exposed product does not come in contact with posts, walls, and other fixed parts of the building, or with barrels, boxes, and other containers trafficked through holding and operating areas. Exposed product shall not be placed or stored beneath carcasses in coolers or holding areas.

g. The rooms and compartments in which any product is prepared or handled shall be free from dust and from odors from dressing and toilet rooms, catch basins, hide cellars, casing rooms, inedible tank and fertilizer rooms, and livestock pens.

h. Every practicable precaution shall be taken to exclude flies, rats, mice, and other vermin from official establishments. The use of poisons for any purpose in rooms or compartments where any unpacked product is stored or handled is forbidden, except under such restrictions and precautions as are prescribed by the regulations in this part or by the officer in charge in specific cases. The use of insecticides, rodenticides, and similar pest control substances in hide cellars, inedible product departments, outbuildings, or similar places, or in storerooms containing canned or tierced products is not forbidden but only those approved by the Chief may be used.<sup>1</sup> So-called rat viruses shall not be used in any part of an establishment or the premises thereof.

(i) Dogs and cats shall be excluded from the interior of official establishments; however, dogs may be permitted on the outer premises for guard purposes.

108.4 <u>Sanitary Facilities and Accommodations; Specific Requirements</u>. Adequate sanitary facilities and accommodations shall be furnished by every official establishment. Of these, the following are specifically required.

a. Dressing rooms, toilet rooms, and urinals shall be sufficient in number, ample in size and conveniently located. The rooms shall be provided with facilities to provide abundant light of good quality and well distributed. They shall be properly ventilated, and meet all requirements of the regulations in this part as to sanitary construction and equipment. They shall be separate from the rooms and compartments in which products are prepared, stored, or handled. Where both sexes are employed, separate facilities shall be provided.

b. Acceptable lavatories, including running hot and cold water, soap, and towels, shall be placed in or near toilet and urinal rooms and also at such other places in the establishment as may be essential to assure cleanliness of all persons handling any product. c. Toilet soil lines shall be separate from house drainage lines to a point outside the building and drainage from toilet bowls and urinals shall not be discharged into a grease catch basin.

d. Properly located facilities shall be provided for cleansing and disinfecting utensils and hands of all persons handling any product.

108.5 Equipment to be Easily Cleaned; That for Inedible Products to be so Marked. Equipment and utensils used for preparing and otherwise handling anyproduct shall be of such materials and construction as will make them susceptible of being readily and thoroughly cleaned and such as will insure strict cleanliness in the preparation and handling of all products. So far as is practicable, such equipment shall be made of metal or other impervious material. Trucks and receptacles used for inedible material shall bear some conspicuous and distinctive mark identifying them as used for such material, and shall not be used for handling edible products.

108.6 <u>Scabbards for Knives</u>. Scabbards and similar devices for the temporary retention of knives, steels, triers, etc., by workers and others at official establishments shall be constructed of rustresisting metal or other impervious material, shall be of a type that may be readily cleaned, and shall be kept clean.

108.7 <u>Rooms</u>, <u>Compartments</u>, etc., to be <u>Clean and</u> <u>Sanitary</u>. Rooms, Compartments, places, equipment, and utensils used for preparing, storing, or otherwise handling any product, and all other parts of the establishment, shall be kept clean and in sanitary condition. There shall be no handling or storing of materials which create an objectionable condition in rooms, compartments, or places where any product is prepared, stored, or otherwise handled.

108.8 Operations, Procedures, Rooms, Clothing, Utensils, etc., to be Clean and Sanitary.

a. Operations and procedures involving the preparation, storing, or handling of any product shall be strictly in accord with clean and sanitary methods.

b. Rooms and compartments in which inspections are made and those in which livestock are slaughtered or any product is prepared shall be kept sufficiently free of steam and vapors to enable Program employees to make inspections and to insure clean operations. The walls, ceilings, and overhead structure of rooms and compartments in which product is prepared, handled, or stored shall be kept reasonably free from moisture to prevent dripping and contamination of product.

c. Butchers and others who dress or handle diseased carcasses or parts shall, before handling or dressing other carcasses or parts, cleanse their hands with liquid soap

TERRITORIAL REGISTER, VOL. 1 NO. 4 – OCTOBER 15, 1974

<sup>&</sup>lt;sup>1</sup> A list of approved pest control substances is available upon request to the Technical Services Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C 20250.

and hot water, and rinse them in clean water. Implements used in dressing diseased carcasses shall be thoroughly cleansed with hot water having a minimum temperature of  $180^{\circ}$  F. or in a disinfectant<sup>2</sup> approved by the Chief fellowed by rinsing in clean water. The employees of the establishment who handle any product shall keep their hands clean, and in all cases after visiting the toilet rooms or urinals shall wash their hands before handling any product or implements used in the preparation of product.

d. Aprons, frocks, and other outer clothing worn by persons who handle any product shall be of material that is readily cleansed. Clean garments shall be worn at the start of each working day and the garments shall be changed during the day when required by the officer in charge.

e. Such practices as spitting on whetstone; spitting on the floor; placing skewers, tags, or knives in the mouth; inflating lungs or casings with air from the mouth; or testing with air from the mouth such receptacles as tierces, kegs, or casks, containing or intended as containers of any product, are prohibited. Only mechanical means may be used for such testing. Care shall be taken to prevent the contamination of product with perspiration, hair, cosmetics, medications, and similar substances.

f. Equipment or substances which generate gasses or odors shall not be used in official establishments except as permitted by the regulations in this part or by the officer in charge in specific cases in which he determines that such use will not result in adulteration of any product.

108.9 <u>Protective Handling of Products.</u> Products shall be protected from contamination from any source such as dust, dirt, or insects during storage, loading, or unloading at and transportation from official establishments.

108.10 <u>Slack Barrels and Similar Containers and Means of</u> <u>Conveyance Used for Product; Paper in Contact With</u> <u>Product.</u>

a. When necessary to avoid contamination of product with wood splinters or similar contaminants, slack barrels and similar containers and the cargo space of trucks, ships, or other means of conveyance shall be lined with suitable material of good quality before packing.

b. Slack barrels and similar containers and trucks, ships, and other means of conveyance in which any product is transported shall be kept in a clean and sanitary condition.

<sup>2</sup> A list of approved disinfectants is available upon request to the Technical Services Division, Consumer and Marketing Service, U.S \* Department of Agriculture, Washington, D.C. 20250. c. Paper used for covering or lining slack barrels and similar containers and the cargo space of trucks, ships, or other means of conveyance shall be of a kind which does not tear during use but remains intact when moistened by the product and does not disintegrate.

108.11 <u>Burlap Wrapping for Meat.</u> Since burlap used without any other material as a wrapping for meat deposits lint on the meat and does not sufficiently protect it from outside contamination, the use of burlap as a wrapping for meat will not be permitted unless the meat is first wrapped with a good grade of paper or cloth of a kind which will prevent contamination with lint or other foreign matter.

108.12 Secondhand Tubs, Barrels, and Other Containers; Inspection and Cleaning.

a. Secondhand, tubs, barrels, and boxes intended for use as containers of any product shall be inspected when received at the official establishment and before they are cleaned. Those showing evidence of misuse rendering them unfit to serve as containers for food products shall be rejected. The use of those showing no evidence of previous misuse may be allowed after they have been thoroughly and properly cleaned. Steaming, after thorough scrubbing and rinsing, is essential to cleaning tubs and barrels.

b. Interiors of tank trailers about to be used for the transportation of any product from an official establishment shall be carefully inspected by a Program employee for cleanliness even though the last previous content was edible. Lye and soda solutions used in cleaning such trailers must be thoroughly removed by rinsing with clean water. Whenever possible, Program employees shall enter tank trailers with a light and examine all parts of the interior.

108.13 Inedible Operating and Storage Rooms; Outer Premises, Docks, Driveways, Approaches, Pens, Alleys, etc., Flybreeding Material; Other Conditions. All operating and storage rooms and departments of official establishments used for inedible materials shall be maintained in acceptably clean condition. The outer premises of every official establishment, including docks and areas where cars and vehicles are loaded, and the driveways, approaches, yards, pens, and alleys, shall be properly paved and drained and kept in clean and orderly condition. All catch basins on the premises shall be of such construction and location and shall be given such attention as will insure their being kept in acceptable condition as regards odors and cleanliness. Catch basins shall not be located in departments where any product is prepared, handled, or stored. The accumulation on the premises of official establishments of any material in which flies may breed, such as hog hairs, bones, paunch contents, or manure, is forbidden. No other conditions that may result in adulteration of product or interfere with inspection shall be allowed in any official establishment or on its premises.

108.14 Employment of Dieseased Persons. No operator of an official establishment or other person preparing product in an official establishment shall employ, in any department where any product is handled or prepared, any person showing evidence of a communicable disease in a transmissible stage, or known to be a carrier of such a disease, or while affected with boils, sores, infected wounds, or other abnormal sources of microbiological contaminants.

108.15 <u>Tagging Insanitary Equipment, Utensils, Rooms or</u> <u>Compartments.</u> When, in the opinion of a Program employee, any equipment, utensil, room, or compartment at an official establishment is unclean or its use would be in violation of any of the regulations in this subchapter, he will attach a "TF. Rejected" tag thereto. No equipment, utensil, room, or compartment so tagged shall again be used until made acceptable. Such tag so attached shall not be removed by anyone other than a Program employee.

#### PART 109. ANTE-MORTEM INSPECTION

#### 109.1 <u>Ante-mortem Inspection in Pens of Official</u> Establishments.

a. All livestock offered for slaughter in an official establishment shall be examined and inspected on the day of and before slaughter unless, because of unusual circumstances, prior arrangements acceptable to the Chief have been made in specific cases by the officer in charge for such examination and inspection to be made on a different day before slaughter.

b. Such ante-mortem inspection shall be made in pens on the premises of the establishment at which the livestock are offered for slaughter before the livestock shall be allowed to enter into any department of the establishment where they are to be slaughtered or dressed or in which edible products are handled. When the holding pens of an official establishment are located in a public stockyard and are reserved for the exclusive use of the establishment, such pens shall be regarded as part of the premises of that establishment and the operator of the establishment shall be responsible for compliance with all requirements of the regulations in this chapter with respect to such pens.

109.2 Livestock Suspected of Being Diseased or Affected With Certain Conditions; Identifying Suspects; Disposition on Post-mortem Inspection or Otherwise.

a. Any livestock which, on ante-moretem inspection, do not clearly show, but are suspected of being affected with any disease or condition that, under Part 111 of this chapter, may cause condemnation of the carcass on post-mortem inspection, and any livestock which show, on ante-mortem inspection, any disease or condition that, under Part 111 of this chapter would cause condemnation of only part of the carcass on post-mortem inspection, shall be so handled as to retain its identity as a suspect until it is given final post-mortem inspection, when the carcass shall be marked and disposed of as provided in Parts 110 and 111 of this chapter, or until it is disposed of as otherwise provided in this part.

b. All seriously crippled animals and animals commonly termed "downers," shall be identified as T.T. Suspects and disposed of as provided in Section 111.1 of this chapter unless they are required to be classed as condemned under 109.3.

c. Livestock which have reacted to a test for leptospirosis, or anaplasmosis, but which show no symptoms of the disease, shall be identified as T.T. Suspects and disposed of as provided in Section 111.10 of this chapter.

d. Livestock which are known to have reacted to the tuberculin test shall be identified as TT. Suspects and disposed of as provided in Section 111.2 of this chapter, except that livestock bearing an official "T.T. Reactor" or similar reactor tag shall not be tagged as T.T. Suspects.

e. Any cattle found on ante-mortem inspection to be affected with epithelioma of the eye or of the orbital region to a lesser extent than as described in Section 109.6 shall be identified as T.T. Suspect and disposed of as provided in Section 111.12 of this chapter.

f. Cattle found on ante-mortem inspection to be affected with anasarca to a lesser extent than as described in Section 109.8 shall be identified as T.T. Suspects and disposed of as provided in Section 111.8 of this chapter or paragraph (g) of this section.

g. Any livestock suspected of being affected with anasarca may be set apart and held for treatment under Program or other responsible official supervision approved by the officer in charge. If at the expiration of the treatment period the livestock upon examination is found to be free from disease, it may be released for any purpose. Otherwise, it shall be identified as T.T. Suspect and disposed of as provided in Section 111.8 of this chapter or condemned and disposed of as provided in Section 109.8, whichever is appropriate.

h. All hogs suspected on ante-mortem inspection of being affected with swine erysipelas shall be identified as T.T. Suspects and disposed of as provided in Section 111.5 of this chapter or paragraph (i) of this section.

i. A hog suspected of being affected with swine erysipelas may be set apart and held for treatment under Program or other responsible official supervision approved by the officer in charge. If at the expiration of the treatment period the animal upon examination is found to be free from disease, it may be released for any purpose. Otherwise, it shall be identified as T.T. Suspect and

disposed of as provided in Section 111.5 of this chapter, or condemned and disposed of as provided in Section 109.13, whichever is appropriate.

i. Any livestock which is affected with vesicular exanthema or vesicular stomatitis, but which has recovered to the extent that the lesions are in process of healing, the temperature is within normal range, and the livestock shows a return to normal appetite and activity, shall be identified as T.T. Suspect and disposed of as provided in Section 111.32 of this chapter, except that if desired, such livestock may be set apart and held under supervision of a Program employee or other official designated by the officer in charge for treatment. If the livestock is set aside for treatment, the T.T. Suspect identification device will be removed by a Program employee, following such treatment, if the livestock is found to be free from any such disease. Such livestock found to be free from any such disease may be released for slaughter or for purposes other than slaughter, provided that in the latter instance, the operator of the official establishment or the owner of the animal shall first obtain permission from the local livestock sanitary official having jurisdiction over the movement of such livestock.

k. Livestock which are offered for ante-mortem inspection under this part, and which are regarded by the inspector as immature, shall be identified as T.T. Suspects and, if slaughtered, the disposition of their carcasses shall be determined by the post-mortem findings in connection with the ante-mortem conditions. If not slaughtered as suspects, such livestock shall be held under supervision of a Program employee or other official designated by the officer in charge, and after sufficient development may be released for slaughter or may be released for any other purpose, provided they have not been exposed to any infectious or contagious disease. If such exposure occurs, permission should be obtained from the nearest Animal Health Service authorities prior to release of such livestock.

1. Livestock previously condemned for listeriosis, if released for slaughter under Section 109.13 (b) shall be identified as a T.T. Suspect in accordance with Section 109.13 (c).

m. Each animal required by this part to be treated as a T.T. Suspect shall be identified as such by or under the supervision of a Program employee with an official device in accordance with Section 109.18. No such device shall be removed except by a Program employee.

n. Each animal identified as T.T. Suspect on ante-mortem inspection shall be set apart and shall be slaughtered separately from other livestock at that establishment unless disposed of as otherwise provided in this part.

o. Each animal identified as a T.T. Suspect on ante-mortem inspection, when presented for slaughter shall be identified and recorded in the facility register. p. When any animal identified as a T.T. Suspect is released for any purpose or reason, as provided in this part, the official identification device shall be removed only by a Program employee and he shall report his action to the officer in charge. When a suspect is to be released under the provisions of this part for a purpose other than slaughter, the operator of the official establishment or the owner of the animal shall first obtain permission for the removal of such animal from the local livestock sanitary official having jurisdiction.

109.3 <u>Dead</u>, Dying, Disabled, or Diseased and Similar Livestock.

a. Livestock found to be dead or in a dying condition on the premises of an official establishment shall be identified as T.T. Condemned and disposed of in accordance with Section 109.13.

b. Livestock plainly showing on ante-mortem inspection any disease or condition that, under Part 111 of this chapter, would cause condemnation of their carcasses on post-mortem inspection shall be identified as T.T. Condemned and disposed of in accordance with Section 109.13.

c. Any swine having a termperature of 106° F. or higher and any cattle, sheep, goats, horses, mules, or other equines having a temperature of 105° F. or higher shall be identified as T.T. Condemned. In case of doubt as to the cause of the high temperature, or when for other reasons a Program employee deems such action warranted, any such livestock may be held for a reasonable time under the supervision of a Program employee for further observation and taking of temperature before final disposition of such livestock is determined. Any livestock so held shall be reinspected on the day it is slaughtered. If, upon such reinspection, or when not held for further observation and taking of temperature, then on the original inspection, the animal has a temperature of 106° F. or higher in the case of swine, or 105<sup>0</sup> F. or higher in the case of other livestock, it shall be condemned and disposed of in accordance with Section 109.13.

d. Any livestock found in a comatose or semicomatose condition or affected with any condition not otherwise covered in this part, which would preclude release of the animal for slaughter for human food, shall be identified "T.T. Condemned" and disposed of in accordance with Section 109.13, except that such animal may be set apart and held for further observation or treatment under supervision of a Program employee or other official designated by the officer in charge and for final disposition in accordance with this part.

109.4 Livestock showing Symptoms of Certain Metabolic, Toxic, Nervous, or Circulatory Distubances, Nutritional Imbalance, or Infectious or Parasitic Diseases.

a. All livestock showing, on ante-mortem inspection, symptoms of anaplasmosis, ketosis, leptospirosis, listeriosis,

parturient paresis, pseudorabies, rabies, scrapie tetanus, grass tetany, transport tetany, strangels, purpura hemorrhagica, azoturia, infectious equine encphalomyelitis, toxic encphalomyelitis (forage poisoning), dourine, acute influenza, generalized osteoporosis, glanders (farcy), acute inflammatory lameness or extensive fistula shall be identified as T.T. Condemned and disposed of in accordance with Section 109.13.

109.5 <u>Swine; Disposal Because of Hog Cholera; Swine</u> Injected With Hog Cholera Virus.

a. All hogs plainly showing on ante-mortem inspection that they are affected with hog cholera shall be identified as T.T. Condemned and disposed of in accordance with Section 109.13.

b. All hogs, even though not themselves identified as T.T. Suspects, which are of lots in which one or more animals have been condemned or identified as T.T. Suspects for hog cholera, shall, so far as possible, be slaughtered separately and part from all other livestock passed on ante-mortem inspection.

c. Swine, other than hyperimmune swine, shall be condemned on ante-mortem inspection if offered for slaughter within 28 days after injection with virulent hog cholera virus, and within 21 days after injection with modified live hog cholera virus, and within 14 days after injection with inactivated hog cholera virus.

d. Swine, other than hyperimmune swine, offered for slaughter after 28 days, following injection with virulent hog cholera virus, 21 days after injection with modified live hog cholera virus, and 14 days after injection with inactivated hog cholera virus shall be given ante-mortem inspection in conformity with this part without reference to the injected virus.

e. Hyperimmune swine shall be condemned on ante-mortem inspection if offered for slaughter within 10 days after hyperimmunization.

f. Hyperimmune swine offered for slaughter after 10 days following hyperimmunization shall be given ante-mortem inspection in conformity with this part without reference to the injected virus.

109.6 Epithelioma of the Eye. Any animal found on ante-mortem inspection to be affected with epithelioma of the eye and the orbital region on which the eye has been destroyed or obscured by neoplastic tissue and which shows extensive infection, suppuration, and necrosis, usually accompanied with foul odor, or any animal affected with epithelioma of the eye or of the orbital region which, regardless of extent, is accompanied with cachexia shall be identified as T.T. Condemned and disposed of in accordance with Section 109.13.

109.7 Livestock Affected With Anthrax; Cleaning and Disinfection of Infected Livestock Pens and Driveways.

a. Any livestock found on ante-mortem inspection to be affected with anthrax shall be identified as T.T Condemned and disposed of in accordance with Section 109.13.

b. No other livestock of a lot in which anthrax is found on ante-mortem inspection shall be slaughtered and presented for post-mortem inspection until it has been determined by a careful ante-mortem inspection that no anthrax infected livestock remains in the lot.

c. Apparently healthy livestock (other than hogs) from a lot in which anthrax is detected, and any apparently healthy livestock which have been treated with anthrax bioligicals which do not contain living anthrax organisms, may be slaughtered and presented for post-mortem inspection if they have been held not less than 21 days following the last treatment or the last death of any livestock in the lot. Alternatively, if desired, all apparently healthy livestock of the lot may be segregated and held for treatment by a licensed veterinarian under supervision of a Program employee or other official designated by the officer in charge. No anthrax vaccine (live organisms) shall be used on the premises of an official establishment.

d. Livestock which have been injected with anthrax vaccines (live organisms) within 6 weeks, and those bearing evidence of reaction to such treatment, such as inflammation, tumefaction, or edema at the site of the injection, shall be condemned on ante-mortem inspection or such animals may be held under supervision of a Program employee or other official designated by the officer in charge until the expiration of the 6-week period and the disappearance of any evidence of reaction to the treatment.

e. When livestock are found on ante-mortem inspection to be affected with anthrax, all exposed livestock pens and driveways of the official establishment shall be cleaned and disinfected by promptly and thoroughly removing and burning all straw, litter, and manure. This shall be followed immediately by a thorough disinfection of the exposed premises by soaking the ground, fences, gates, and all exposed material with a 5 percent solution of sodium hydroxide or commercial lye prepared as outlined in Section 110.9(e) (1) of this chapter, or other disinfectant that may be approved in specific cases by the Chief specifically for this purpose.

109.8 <u>Cattle Affected With Anasarca and Generalized</u> <u>Edema.</u> All cattle found on ante-mortem inspection to be affected with anasarca in advanced stages and characterized by an extensive and generalized edema shall be identified as T.T. Condemned and disposed of in accordance with Section 109.13.

109.9 <u>Swine Erysipelas.</u> All hogs plainly showing on ante-mortem inspection that they are affected with acute swine erysipelas shall be identified as T.T 'Condemned and disposed of in accordance with Section 109.13.

109.10 <u>Onset of Parturition</u>. Any livestock showing signs of the onset of parturition shall be withheld from slaughter until after parturition and passage of the placenta. Slaughter or other disposition may then be permitted if the animal is otherwise acceptable.

109.11 <u>Vaccine Livestock</u>. Vaccine livestock with unhealed lesions of vaccinia, accompanied with fever, which have not been exposed to any other infectious or contagious disease, are not required to be slaughtered and may be released for removal from the premises.

109.12 <u>Emergency Slaughter; Inspection Prior to.</u> In all cases of emergency slaughter, except as provided in Section 111.27 of this chapter, the animals shall be inspected immediately before slaughter, whether theretofore inspected or not. When the necessity for emergency slaughter exists, the establishment shall notify the officer in charge or his assistant so that such inspection may be made.

#### 109.13 Dispostion of Condemned Livestock.

a. Except as otherwise provided in this part, livestock identified as T.T. Condemned shall be killed by the official establishment, if not already dead. Such animals shall not be taken into the official establishment to be slaughtered or dressed; nor shall they be conveyed into any department of the establishment used for edible products; but they shall be disposed of in the manner provided for condemned carcasses in Part 114 of this chapter. The official T.T Condemned tag shall not be removed from, but shall remain on the carcass until it goes into the tank, or is otherwise disposed of as prescribed in Part 114 of this chapter, at which time such tag may be removed by a Program employee only. The number of such tag shall be reported to the officer in charge by the inspector who affixed it, and also by the inspector who supervised the tanking of the carcass.

b. Any livestock condemned on account of ketosis, swine erysipelas, vesicular diseases, grass tetany, transport tetany, parturient paresis, anasarca, anaplasmosis, leptospirosis, listeriosis, or inflammatory condition including pneumonia, enteritis, and peritonitis may be set apart and held for treatment under supervision of a Program employee or official designated by the officer in charge. The T.T. Condemned identification tag will be removed by a Program employee following treatment under such supervision if the animal is found to be free from any such disease.

c. Livestock previously affected with listeriosis, including those released for slaughter after treatment under paragraph (b) of this section, shall be identified as T.T. Suspect.

d. When livestock under the provisions of this section is to be released for a purpose other than slaughter, the operator of the official establishment or the owner of the livestock shall first obtain permission for the movement of such livestock from the local livestock sanitary official having jurisdiction.

109.14 <u>Brucellosis-reactor Goats</u>. Goats which have reacted to a test for brucellosis shall not be slaughtered in an official establishment.

#### 109.15 Vesicular Diseases.

a. Immediate notification shall be given by the inspector to the local livestock sanitary officials having jurisdiction when any livestock is found to be affected with a vesicular disease.

b. No livestock under quarantine by local livestock sanitary officials on account of a vesicular disease will be given ante-mortem inspection. If no quarantine is invoked, or if quarantine is invoked and later removed, upon ante-mortem inspection, any animal found to be affected with vesicular exanthema or vesicular stomatitis in the acute stages, as evidenced by acute and active lesions or an elevated temperature, shall be identified as T.T. Condemned and disposed of in accordance with Section 109.13.

109.16 Livestock Suspected of Having Biological Residues. Livestock suspected of having been treated with or exposed to any substance that may impart a biological residue which would make the edible tissues unfit for human food shall be identified as T.T. Condemned. These livestock may be held under the custody of a Program employee or other official designated by the officer in charge until metabolic processes have reduced the residue sufficiently to make the tissues fit for human food. When the required withdrawal time has elapsed, the livestock, if returned for slaughter must be reexamined on ante-mortem inspection. To aid in determining the amount of residue present in the tissues, officials of the Program may permit the slaughter of any such livestock to collect tissues for analysis of the residue.

109.17 Livestock Used for Research.

a. No livestock used in any research investigation involving an experimental biological product, drug, or chemical shall be eligible for slaughter at an official establishment.

## 109.18 Official Marks and Devices for Purposes of Ante-mortem Inspection.

a. All livestock required by this Part to be identified as T.F. Suspects shall be tagged with a serially numbered metal ear tag bearing the term "T.T. Suspect," except as provided in Section 109.2(d) and except that cattle affected with epithelioma of the eye, actinomycosis, or actinobacillosis to such an extent that the lesions would be readily detected on post-mortem inspection need not be individually tagged on ante-mortem inspection with the T.T. Suspect tag, provided that such cattle are segregated and otherwise handled as T.T. Suspects. b. In addition, identification of T.T. Suspect swine must include the use of tattoos specified by the inspector to maintain the identity of the animals through the dehairing equipment when such equipment is used.

c. All livestock required by this part to be identified as T.T. Condemned shall be tagged with a serially numbered metal ear tag bearing the term "T.T. Condemned."

d. The devices described in paragraphs (a), (b), and (c) of this section shall be the official devices for identification of livestock required to be identified as T.T. Suspect or T.T. Condemned as provided in this part.

109.19 <u>Disposition of Suspect Animals</u>. All animals declared to be T.T. suspects on ante-mortem inspection will be returned to the owner for treatment or held until the arrival of the T.T. veterinarian. The T.T. veterinarian will conduct all post-mortem inspections on T.T. suspects.

#### PART 110. POST-MORTEM INSPECTION

110.1 Extent and Time of Post-Mortem Inspection. A careful post-mortem examination and inspection shall be made of the carcasses and parts thereof of all livestock slaughtered at official establishments. Such inspection and examination shall be made at the time of slaughter unless, because of unusual circumstances, prior arrangements acceptable to the Chief have been made in specific cases by the officer in charge for making such inspection and examination at a later time.

#### 110.2 <u>Identification of Carcass with Certain Severed Parts</u> Thereof and with Animal from which Derived.

a. The head, tail, tongue, thymus gland, and all viscera of each slaughtered animal, and all blood and other parts of such animal to be used in the preparation of meat food products or medical products, shall be handled in such a manner as to identify them with the rest of the carcass and as being derived from the particular animal involved, until the post-mortem examination of the carcass and parts thereof has been completed. Such handling shall include the retention of ear tags, back tags, implants, and other identifying devices affixed to the animal, in such a way to relate them to the carcass until the post-mortem examination has been completed.

b. The official backtag on any carcass shall:

(1) (i) Be removed from the hide of the animal by an establishment employee and placed in a clear plastic bag. The bag containing the tag shall be affixed to the corresponding carcass.

(ii) The bag containing the tag shall be removed from the carcass by an establishment employee and presented with the viscera to the Program inspector at the point where such inspector conducts the viscera inspection. (2) (i) Brucellosis and tuberculosis ear tags, herd identification ear tags, sales tags, ear bangles, and similar identification devices shall be removed from the animal's hide or ear by an establishment employee and shall be placed in a clear plastic bag and affixed to the corresponding carcass.

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(ii) The bag containing the tag shall be removed from the carcass by an establishment employee and presented with the viscera to the Program inspector at the point where such inspector conducts the viscera inspection.

(3) In cases where both types of devices described in subparagraphs (1) and (2) of this paragraph are present on the same animal, both types may be placed in the same plastic bag or in two separate bags.

(4) The officer in charge may allow the use of any alternate method proposed by the operator of an official establishment for handling the type of devices described in subparagraph (2) of this paragraph if such alternate method would provide a ready means of identifying a specific carcass with the corresponding devices by a Program inspector during the post-mortem inspection.

(5) Disposition and use of identifying devices.

(i) The official T.T.P.I. backtags will be collected by a Program inspector and used to obtain traceback information necessary for proper disposition of the animal or carcass and otherwise handled according to instructions issued to the inspectors.

(ii) The devices described in subparagraph (2) of this paragraph shall be collected by the Program inspector when required to obtain traceback information necessary for proper disposition of the animal or carcass and for controlling the slaughter of reactor animals. Devices not collected for these purposes shall be discarded after the post-mortem examination is complete.

(6) Plastic bags used by the establishment for collecting identifying devices will be furnished by the Division.

110.3 <u>Carcasses and Parts in Certain Instances to be</u> <u>Retained.</u> Each carcass, including all detached organs and other parts, in which any lesion or other condition is found that might render the meat or any part unfit for food purposes, or otherwise adulterated, and which for that reason would require a subsequent inspection, shall be retained by the Program employee at the time of inspection. The identity of every such retained carcass, detached organ, or other part shall be maintained until the final inspection has been completed. Retained carcasses shall not be washed or trimmed unless authorized by the Program employee.

110.4 <u>Identification of Carcasses and Parts; Tagging.</u> Such devices and methods as may be approved by the Chief may be used for the temporary identification of retained

carcasses, organs, and other parts. In all cases, the identification shall be further established by affixing "T.T. Retained" tags as soon as practicable and before final inspection. These tags shall not be removed except by a Program employee.

110.5 Condemned Carcasses and Parts to be so Marked; Tanking; Separation. Each carcass or part which is found on final inspection to be unsound, unhealthful, unwholesome, or otherwise adulterated shall be conspicuously marked, on the surface tissues thereof, by a Program employee at the time of inspection as "T.T. Inspected and Condemned." Condemned detached organs and other parts of such character that they cannot be so marked shall be placed immediately in trucks or receptacles which shall be kept plainly marked "T.T. Condemned," in letters not less than two inches high. All condemned carcasses and parts shall remain in the custody of a Program employee and shall be disposed of as required in the regulations in Part 113 of this chapter at or before the close of the day on which they are condemned.

110.6 <u>Carcasses and Parts Passed for Cooking; Marking.</u> Carcasses and parts passed for cooking shall be marked conspicuously on the surface tissues thereof by a Program employee at the time of inspection, "T.T. Passed for Cooking." All such carcass and parts shall be cooked in accordance with Part 114 of this chapter, and until so cooked shall remain in the custody of a Program employee.

110.7 <u>Removal of Spermatic Cords, Pizzles and Preputial</u> <u>Diverticuli</u>. Spermatic cords and pizzles shall be removed from all carcasses. Preputial diverticuli shall be removed from hog carcasses.

110.8 Passing and Marking of Carcasses and Parts. Carcasses and parts found to be sound, healthful, wholesome, and otherwise not adulterated shall be passed and marked as provided in Part 115 of this chapter. In all cases where carcasses showing localized lesions are passed for food or for cooking and "T.T. Retained" tags are attached to the carcasses, the affected tissues shall be removed and condemned before the tags are removed. "T T. Retained" tags shall be removed only by a Program employee.

110.9 Anthrax; Carcasses Not to be Eviscerated; Disposition of Affected Carcasses, Hides, Hoofs, Horns, Hair, Viscera and Contents, and Fat; Handling of Blood and Scalding Vat Water; General Cleanup and Disinfection.

a. Carcasses found before evisceration to be affected with anthrax shall not be eviscerated but shall be retained, condemned, and immediately tanked or otherwise disposed of as provided in Part 113 of this chapter.

b. All carcasses and all parts, including hides, hooks, horns, hair, viscera and contents, blood, and fat of any

livestock found to be affected with anthrax shall be condemned and immediately disposed of as provided in Part 113 of this subchapter, except that the blood may be handled through the usual blood cooking and drying equipment.

c. Any part of any carcass that is contaminated with anthrax-infected material through contact with soiled instruments or otherwise shall be immediately condemned and disposed of as provided in Part 113 of this chapter.

d. The scalding vat water through which hog carcasses affected with anthrax have passed shall be immediately drained into the sewer and all parts of the scalding vat shall be cleaned and disinfected as provided in paragraph (e) of this section.

e. (1) That portion of the slaughtering department, including the bleeding area, scalding vat, gambrelling bench, floors, walls, posts, platforms, saws, cleavers, knives, and hooks, as well as employees' boots and aprons, contaminated through contact with anthrax-infected material, shall, except as provided in subparagraph (2) of this paragraph, be cleaned immediately and disinfected with one of the following disinfectants or other disinfectant approved specifically for this purpose by the Chief:

(i) A 5 percent solution of sodium hydroxide or commercial lye containing at least 94 percent of sodium hydroxide. The solution shall be freshly prepared immediately before use by dissolving 2½ pounds of sodium hydroxide or lye in 5½ gallons of hot water and shall be applied as near scalding hot as possible to be most effective. (Owing to the extremely caustic nature of sodium hydroxide solution, precautionary measures such as the wearing of rubber gloves and boots to protect the hands and feet, and goggles to protect the eye, should be taken by those engaged in the disinfection process. It is also advisable to have an acid solution, such as vinegar, in readiness in case any of the sodium hydroxide solution should come in contact with any part of the body.)

(ii) A solution of sodium hypochlorite containing approximately one-half of 1 percent (5,000 parts per million) of available chlorine. The solution shall be freshly prepared.

(iii) When a disinfectant solution has been applied to equipment which will afterwards contact product, the euqipment shall be rinsed with clear water before such contact.

(2) In case anthrax infection is found in the hog slaughtering department, an immediate preliminary disinfection shall be made from the head-dropper's station to the point where the disease is detected and the affected carcasses shall be cut down from the rail and removed from the room. Upon completion of the slaughtering of the lot of hogs of which the

TERRITORIAL REGISTER, VOL. 1 NO. 4 – OCTOBER 15, 1974

anthrax-infected animals were a part, slaughtering operations shall cease, and a thorough cleanup and disinfection shall be made, as provided in subparagraph (1) of this paragraph. If the slaughter of the lot has not been completed by the close of the day on which anthrax was detected, the cleanup and disinfection shall not be deferred beyond the close of that day.

(3) The first and indispensable precautionary step for persons who have handled anthrax material is through cleansing of the hands and arms with liquid soap and running hot water. It is important that this step be taken immediately after exposure, before vegetative anthrax organisms have had time to form spores. In the cleansing, a brush or other appropriated appliance shall be used to insure the removal of all contaminating material from under and about the fingernails. This process of cleansing is most effective when performed in repeated cycles of lathering and rinsing rather than in spending the same amount of time in scrubbing with a single lathering. After the hands have been cleansed thoroughly and rinsed free of soap, they may, if desired, be immersed for about 1 minute in a 1:1,000 solution of bichloride of mercury, followed by thorough rinsing in clean running water. Supplies of bichloride of mercury for the purpose must be held in the custody of the officer in charge. (As a precautionary measure, all persons exposed to anthrax infection should report promptly any suspicious condition (sore or carbuncle) or symptom to a physician, in order that anti-anthrax serum or other treatment may be administered as indicated.)

110.10 <u>Carcasses With Skin or Hide On; Cleaning Before</u> <u>Evisceration; Removal of Larvae of Hypodermae, External</u> <u>Parasites and Other Pathological Skin Conditions.</u> When a carcass is to be dressed with the skin or hide left on, the skin or hide shall be thoroughly washed and cleaned before any incision is made for the purpose of removing any part thereof or evisceration, except that where calves are slaughtered by the kosher method, the heads shall be removed from the carcasses, before washing of the carcasses. The skin shall be removed at the time of post-mortem inspection from any calf carcass infested with the larvae of the "oxwarble" fly (Hypoderma lineata and Hypoderma bovis), or external parasites, or affected with other pathological skin conditions.

110.11 <u>Cleaning of Hog Carcasses Before Incising</u>. All hair, scurf, dirt, hoofs, and claws shall be removed from hog carcasses, and the carcasses shall be thoroughly washed and cleaned before any incision is made for inspection or evisceration.

110.12 <u>Sternum to be Split; Abdominal and Thoracic</u> <u>Viscera to be Removed.</u> The sternum of each carcass shall be split and the abdominal and thoracic viscera shall be removed at the time of slaughter in order to allow proper inspection.

110.13 <u>Carcasses or Parts Thereof Not to be Inflated;</u> <u>Transfering</u> Caul or Other Fat. Carcasses or parts of carcasses shall not be inflated with air. Transferring the caul or other fat from a fat to a lean carcass is prohibited.

110.14 <u>Handling of Bruised Parts</u>. When only a portion of a carcass is to be condemned on account of slight bruises, either the bruised portion shall be removed immediately and disposed of in accordance with Part 113 of this chapter, or the carcass shall be promptly placed in a retaining room and kept until chilled and the bruised portion shall then be removed and disposed of as provided in Part 113 of this chapter.

110.15 <u>Hyperimmune swine bled before Entering Official</u> <u>Establishments.</u> Carcasses of hyperimmune swine which have been given the final bleeding at a serum plant under the supervision of an inspector may be transferred to an official establishment for dressing and post-mortem inspection in accordance with the provisions of this section. The transfer of such carcasses to the official establishment shall be made as promptly as possible and their delivery to the scalding vat shall be accomplished within 1 hour from the time bleeding is completed. The identity of the carcasses of hyperimmune swine shall be maintained in such manner as to positively identify them and to indicate the time of final bleeding.

110.16 Inspection of Cattle, Sheep, Hog and Equine  $\underline{L:ags}$ . Lungs and lung lobes derived from cattle, calves, sheep, hogs and equines shall not be saved as edible product.

#### 110.17 Inspection of Mammary Glands.

a. Lactating mammary glands and diseased mammary glands of cattle, sheep, swine, and goats shall be removed without opening the milk ducts or sinuses. If pus or other objectionable material is permitted to come in contact with the carcass, the parts of the carcass thus contaminated shall be removed and condemned.

b. Nonlactating cow udders may be saved for food purposes provided suitable facilities for handling and inspecting them are provided. Examination of udders by palpation shall be done by a Program employee. When necessary, in the judgment of the Program employee for adequate inspection, the official establishment employees shall incise udders in sections no greater than 2 inches in thickness. All udders showing disease lesions shall be condemned by a Program employee. Each udder shall be properly identified with its respective carcass and kept separate and apart from other udders until its disposal has been accomplished in accordance with the provisions of Part 111 of this chapter.

c. Lactating mammary glands of cattle, sheep, swine, and goats shall not be saved for edible purposes.

d. The udders from cows officially designated as "Brucelosis reactors" or as "Mastitis elimination cows" shall be condemned. 110.18 <u>Contamination of Carcasses</u>, Organs, or Other <u>Parts</u>.

a. Carcasses, organs, and other parts shall be handled in a sanitary manner to prevent contamination with fecal material, urine, bile, hair, dirt, or foreign matter; however, if contamination occurs, it shall be promptly removed in a manner satisfactory to the inspector.

b. Brains, cheek meat, and head trimmings from animals stunned by lead, sponge iron, or frangible bullets shall not be saved for use as human food but shall be handled as described in Section 113.1 or 113.3 of this chapter.

110.19 <u>Inspection of Kidneys</u>. An employee of the establishment shall open the kidney capsule and expose the kidneys of all livestock at the time of slaughter for the purpose of examination by a Program employee.

PART 111. DISPOSAL OF DISEASED OR OTHERWISE ADULTERATED CARCASSES AND PARTS.

111.1 <u>Disposal of Diseased or Otherwise Adulterated</u> Carcasses and Parts; General.

a. The carcasses or parts of carcasses of all animals slaughtered at an official establishment and found at the time of slaughter or at any subsequent inspection to be affected with any of the disease or conditions named in this part shall be disposed of according to the section pertaining to the disease or condition: Provided, that no product shall be passed for human food under any such section unless it is found to be otherwise not adulterated. Products passed for cooking or refrigeration under this part must be so handled at the official establishment where they are initially prepared unless they are moved to another official establishment for such handling or in the case of products passed for refrigeration are moved for such refrigeration to a freezing facility approved by the Chief in specific cases: Provided, that when so moved the products are shipped in containers sealed in accordance with Section 117.10(c)of this chapter. Owing to the fact that it is impracticable to formulate rules covering every case and to designate at just what stage a disease process or a condition results in adulteration of a product, the decision as to the disposal of all carcasses, organs, or other parts not specifically covered in this part shall be left to the officer in charge. The veterinarian in charge shall exercise his judgment regarding the disposition of all carcasses or parts of carcasses under this part in a manner which will insure that only wholesome, unadulterated product is passed for human food.

b. In cases of doubt as to a condition, a disease, or the cause of a condition, or to confirm a diagnosis, representative specimens of the affected tissues, properly prepared and packaged, shall be sent for examination to a laboratory.

111.2 Tuberculosis. The following principle shall apply to the disposition of carcasses of livestock based on the difference in the pathogenesis of tuberculosis in swine, cattle, sheep, goats and equines.

a. Carcasses condemned. The entire carcass of swine, cattle, sheep, goats and equines shall be condemned if any of the following conditions occur:

(1) When the lesions of tuberculosis are generalized (tuberculosis is considered to be generalized when the lesions are distributed in a manner made possible only by entry of the bacilli into the systemic circulation);

(2) When on ante-mortem inspection the animal is observed to have a fever found to be associated with an active tuberculosis lesion on post-mortem inspection;

(3) When there is an associated cachexia;

(4) When a tuberculosis lesion is found in any muscle or intermuscular tissue, or bone, or joint, or abdominal organ (excluding the gastrointestinal tract) or in any lymph node as a result of draining a muscle, bone, joint, or abdominal organ (excluding the gastrointestinal tract);

(5) When the lesions are extensive in tissues of either the thoracic or the abdominal cavity;

(6) When the lesions are multiple, acute, and actively progressive; or

(7) When the character or extent of the lesions otherwise is not indicative of a localized condition.

b. Organs or other parts condemned. An organ or other part of a swine, cattle, sheep, goat or equine carcass affected by localized tuberculosis shall be condemned when it contains lesions of tuberculosis or when the corresponding lymph node contains lesions of tuberculosis.

c. Carcasses of cattle passed without restriction for human food. Carcasses of cattle may be passed without restriction for human food only when the carcass of an animal not identified as a reactor to a tuberculin test administered by an accredited veterinarian is found free of tuberculosis lesions during post-mortem inspection.

d. Portions of carcasses and carcasses of cattle passed for cooking.

(1) When a cattle carcass reveals a tuberculosis lesion or lesions not so severe or so numerous as the lesions described in paragraph a., the unaffected portion of the carcass may be passed for cooking in accordance with the regulations, if the character and extent of the lesions indicate a localized condition, and if the lesions are calcified or encapsulated, and provided the affected organ or other part is condemned.

(2) When the carcass of a cattle identified as a reactor to a tuberculin test administered by an accredited veterinarian is found free of lesions of tuberculosis, the carcass may be passed for cooking in accordance with the regulations.

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e. Portions of carcasses and carcasses of swine passed without restriction for human food. Swine carcasses found free of tuberculosis lesions during post-mortem inspection may be passed for human food without restriction. When tuberculosis lesions in any swine carcass are localized and confined to one primary seat of infection, such as the cervical lymph nodes, the mesenteric lymph nodes, or the mediastinal lymph nodes, the unaffected portion of the carcass may be passed for human food without restriction after the affected organ or other part is condemned.

f. Portions of carcasses of swine passed for cooking. When the carcass of any swine reveals lesions more severe or more numerous than those described in paragraph e., but not so severe or so numerous as the lesions described in paragraph a., the unaffected portions of such carcass may be passed for cooking in accordance with the regulations; if the character and extent of the lesions indicate a localized condition, and if the lesions are calcified or encapsulated, and provided the affected organ or other part is condemned.

g. Carcasses of sheep, goats, and equines passed without restriction for human food. Carcasses of sheep, goats and equines may be passed without restriction for human food only if found free of tuberculosis lesions during post-mortem inspection.

h. Portions of carcasses of sheep, goats and equines passed for cooking. If a carcass of any sheep, goat or equine reveals a tuberculosis lesion or lesions that are not so severe or so numerous as the lesions described in paragraph a., the unaffected portion of the carcass may be passed for cooking in accordance with the regulations; if the character and extent of the lesions indicate a localized condition and if the lesions are calcified or encapsulated, and provided the affected organ or other part is condemned.

#### 111.3 Hog Cholera.

a. The carcasses of all hogs affected with hog cholera shall be condemned.

b. Inconclusive but suspicious symptoms of hog cholera observed during the ante-mortem inspection of a T.T. suspect shall be duly considered in connection with post-mortem findings and when the carcass of such a suspect shows lesions in the kidneys and the lymph nodes which resemble lesions of hog cholera, they shall be regarded as those of hog cholera and the carcass shall be condemned.

c. When lesions resembling those of hog cholera occur in kidneys and lymph nodes of carcasses of hogs which appeared normal on ante-mortem inspection, further

inspection of such carcasses shall be made for corroborative lesions. If on such further inspection, characteristic lesions of hog cholera are found in some organ or tissue in addition to those in the kidneys or in the lymph nodes or in both, then all lesions shall be regarded as those of hog cholera and the carcass shall be condemned.

111.4 Carcasses of Swine Injected With Hog Cholera Virus.

a. Carcasses of swine, other than hyperimmune swine, if presented for inspection after 28 days following injection with hog cholera virus shall be given post-mortem inspection in conformity with this part without reference to the injected virus.

b. Carcasses of hyperimmune swine if presented for inspection after 10 days following hyperimmunization shall be given post-mortem inspection in conformity with this part without reference to the injected virus.

111.5 <u>Swine Erysipelas.</u> Carcasses affected with swine erysipelas which is acute or generalized, or which show systemic change, shall be condemned.

111.6 <u>Diamond-skin Disease</u>. Carcasses of hogs affected with diamond-skin disease when localized and not associated with systemic change may be passed for human food after removal and condemnation of the affected parts, provided such carcasses are otherwise healthy.

111.7 Arthritis.

a. Carcasses affected with arthritis which is localized and not associated with systemic change may be passed for human food after removal and condemnation of all affected parts. Affected joints with corresponding lymph nodes shall be removed and condemned. In order to avoid contamination of the meat which is passed, a joint capsule shall not be opened until after the affected joint is removed.

b. Carcasses affected with arthritis shall be condemned when there is evidence of systemic involvement.

#### 111.8 <u>Cattle Carcasses Affected With Anasarca or</u> <u>Generalized Edema.</u>

a. Carcasses of cattle found on post-mortem inspection to be affected with anasarca in advance stages and characterized by an extensive or wellmarked generalized edema shall be condemned.

b. Carcasses of cattle, including their detached organs and other parts, found on post-mortem inspection to be affected with anasarca to a lesser extent than as described in paragraph (a) of this section may be passed for human food after removal and condemnation of the affected tissues, provided the lesion is localized.

111.9 Actinomycosis and Actinobacillosis.

a. The definition of generalization as outlined for tuberculosis in Section 111.2(a) shall apply for actinomycosis and actinobacillosis, and carcasses of livestock with generalized lesions of either such disease shall be condemned.

b. Carcasses of livestock in a well-nourished condition showing uncomplicated localized lesions of actinomycosis or actinobacillosis may be passed for human food after the infected organs or other infected parts have been removed and condemned, except as provided in paragraphs (c) and (d) of this section.

c. Heads affected with actinomycosis or actinobacillosis, including the tongue, shall be condemned, except that when the disease of the jaw is slight, strictly localized, and without suppuration, fistulous tracts, or lymph node involvement, the tongue, if free from disease, may be passed, or, when the disease is slight and confined to the lymph nodes, the head including the tongue, may be passed for human food after the affected nodes have been removed and condemned.

d. When the disease is slight and confined to the tongue, with or without involvement of the corresponding lymph nodes, the head may be passed for human food after removal and condemned of the tongue and corresponding lymph nodes.

111.10 Anaplasmosis, Anthrax, Babesiosis, Bacillary Hemoglobinuria in Cattle, Blackleg, Bluetongue in Sheep, Hemorrhagic Septicemia, Icterohematuria in Sheep, Infectious Bovine Rhinotracheitis, Leptospirosis, Malignant Epizootic Catarrh, Strangles, Purpura Hemmorrhagica, Azoturia, Infectious Equine Encephalomyelitis Toxic Encephalomyelitis (Forage Poisoning), Infectious Anemia (Swamp Fever), Dourine, Acute Influenza, Generalized Osteoporosis, Glanders (Farcy), Acute Inflammatory Lameness, Extensive, Fistula, and Unhealed Vaccine Lesions.

a. Carcasses of livestock affected with or showing lesions of any of the following named diseases or conditions shall be condemned:

(1) Anthrax

(2) Blackleg.

(3) Unhealed vaccine lesions (vaccinia).

(4) Strangles.

(5) Purpura hemorrhagica.

(6) Azoturia.

(7) Infectious equine encephalomyelitis.

(8) Toxic encephalomyelitis (forage

poisoning).

(9) Infectious anemia (swamp fever).

(10 Dourine.

(11) Acute influenza.

(12) Generalized osteoporosis.

(13) Glanders (farcy).

(14) Acute inflammatory lameness.

(15) Extensive fistula.

b. Carcasses of livestock affected with or showing lesions of any of the following named diseases or conditions shall be condemned, except when recovery has occurred to the extent that only localized lesions persist, in which case the carcass may be passed for human food after removal and condemnation of the affected organs or other parts:

(1) Anaplasmosis.

(2) Bacillary hemoglobimuria in cattle.

(3) Babesiosis (piroplasmosis).

(4) Bluetongue.

(5) Hemorrhagic septicemia.

(6) Icterohematuria in sheep.

(7) Infectious bovine rhinotracheitis.

(8) Leptospirosis.

(9) Malignant epizootic catarrh.

111.11 Neoplasms.

a. An individual organ or other part of a carcass affected with a neoplasm shall be condemned. If there is evidence of metastasis or that the general condition of the animal has been adversely affected by the size, position, or nature of the neoplasm, the entire carcass shall be condemned.

b. Carcasses affected with malignant lymphoma shall be condemned.

#### 111.12 Epithelioma of the Eye.

a. Carcasses of animals affected with epithelioma of the eye, or the orbital region shall be condemned in their entirety if one of the following three conditions exists:

(1) The affection has involved the osseous structures of the head with extensive infection, suppuration, and necrosis;

(2) There is metastasis from the eye, or the orbital region, to any lymph node including the parotid lymph node, internal organs, muscles, skeleton, or other structures, regardless of the extent of the primary tumor; or

(3) The affection, regardless of extent, is associated with cachexia or evidence of absorption or secondary changes.

b. Carcasses of animals affected with epithelioma of the eye, or the orbital region, to a lesser extent than as described in paragraph (a) of this section may be passed for human food after removal and condemnation of the head, including the tongue, provided the carcass is otherwise normal.

## 111.13 <u>Pigmentary Conditions; Melanosis, Xanthosis</u>, Ochronosis, etc.

a. Except as provided in Section 111.19, carcasses of livestock showing generalized pigmentary deposits shall be condemned.

b. The affected parts of carcasses showing localized pigmentary deposits of such character as to be unwholesome or otherwise adulterated shall be removed and condemned.

111.14 Abrasions, Bruises, Abscesses, Pus, etc. All slight, well-limited abrasions on the tongue and inner surface of the lips and mouth, when without lymph node involvement, shall be carefully excised, leaving only sound, normal tissue, which may be passed for human food. Any organ or other part of a carcass which is badly bruised or which is affected by an abscess, or a suppurating sore shall be condemned; and when the lesions are of such character or extent as to affect the whole carcass, the whole carcass shall be condemned. Portions of carcasses which are contaminated by pus or other diseased material shall be condemned.

111.15 <u>Brucellosis</u>. Carcasses affected with localized lesions of brucellosis may be passed for human food after the affected parts are removed and condemned.

111.16 <u>Carcasses So Infected That Consumption of the</u> <u>Meat May Cause Food Poisoning.</u>

a. All carcasses of animals so infected that consumption of the products thereof may give rise to food poisoning shall be condemned. This includes all carcasses showing signs of:

(1) Acute inflammation of the lungs, pleura, pericardium, peritoneum, or meninges.

(2) Septicemia or pyemia, whether puerperal, traumatic, or without any evident cause.

(3) Gangrenous or severe hemorrhagic enteritis or gastritis.

(4) Acute diffuse metritis or mammitis.

(5) Phlebitis of the umbilical veins.

(6) Septic or purulent traumatic pericarditis.

(7) Any acute inflammation, abscess, or supperating sore, if associated with acute nephritis, fatty and degenerated liver, swollen soft spleen, marked pulmonary hyperemia, general swelling of lymph nodes, diffuse redness of the skin, cachexia, icteric discoloration of the carcass or similar condition, either singly or in combination.

(8) Salmonellosis.

b. Implements contaminated by contact with carcasses affected with any of the disease conditions mentioned in this section shall be thoroughly cleaned and sanitized as prescribed in Part 108 of this chapter. The equipment used in the dressing of such carcasses, such as viscera trucks or inspection tables, shall be sanitized with hot water having a minimum temperature of  $180^{\circ}$  F. Carcasses or parts of carcasses shall be condemned unless all contaminated tissues are removed within 2 hours.

111.17 Necrobacillosis, Pyemia, and Septicemia. From the standpoint of meat inspection, necrobacillosis may be regarded as a local infection at the beginning, and carcasses in which the lesions are localized may be passed for human food if in a good state of nutrition, after those portions affected with necrotic lesions are removed and condemned. However, when emaciation, cloudy swelling of the parenchymatous tissue of organs or enlargement of the lymph nodes is associated with the infection, it is evident that the disease has progressed beyond the condition of localization to a state of toxemia, and the entire carcass shall therefore be condemned as both unwholesome and noxious. Pyemia or septicemia may intervene as a complication of the local necrosis, and when present the carcass shall be condemned in accordance with Section 111.16.

111.18 Caseous Lymphadenitis.

a. A thin carcass showing well-marked lesions in the viscera and the skeletal lymph nodes, or a thin carcass showing extensive lesions in any part shall be condemned.

b. A thin carcass showing well-marked lesions in the viscera with only slight lesions elsewhere or showing well-marked lesions in the skeletal lymph nodes with only slight lesions elsewhere may be passed for cooking.

c. A thin carcass showing only slight lesions in the skeletal lymph nodes and in the viscera may be passed for human food without restriction.

d. A well-nourished carcass showing well-marked lesions in the viscera and with only slight lesions elsewhere or showing well-marked lesions confined to the skeletal lymph nodes with only slight lesions elsewhere may be passed for human food without restriction.

e. A well-nourished carcass showing well-marked lesions in the viscera and the skeletal lymph nodes may be passed for cooking; but where the lesions in a well-nourished carcass are both numerous and extensive, it shall be condemned.

f. All affected organs and nodes of carcasses passed for human food without restriction or passed for cooking shall be removed and condemned.

g. As used in this section, the term "thin" does not apply to a carcass which is anemic or emaciated; and the term "lesions" refers to lesions of caseous lymphadenitis.

111.19 <u>Icterus.</u> Carcasses showing any degree of icterus shall be condemned. Yellow fat conditions caused by nutritional factors or characteristic of certain breeds of livestock and yellow fat sometimes seen in sheep shall not be confused with icterus. Such carcasses should be passed for human food, if otherwise normal.

111.20 Sexual Odor of Swine.

a. Carcasses of swine which give off a pronounced sexual odor shall be condemned.

b. The meat of swine carcasses which give off a sexual odor less than pronounced may be passed for use in comminuted cooked meat food product or for rendering. Otherwise it shall be condemned.

111.21 <u>Mange or Scab.</u> Carcasses of livestock affected with mange or scab in advanced stages, showing cachexia or extensive inflammation of the flesh, shall be condemned. When the disease is slight, the carcass may be passed after removal of the affected portion.

111.22 <u>Hogs Affected with Urticaria, Tinea, Tonsurans,</u> <u>Demodex Folliculorum, or Erythema.</u> Carcasses of hogs affected with urticaria (nettle rash), tinea tonsurans, demodex folliculorium, or erythema may be passed for human food after detaching and condemning the affected skin, if the carcass is otherwise not adulterated.

#### 111.23 Tapeworm Cysts (cysticercus bovis) in Cattle.

a. Except as provided in paragraph b. of this section, carcasses of cattle affected with lesions of cysticerus bovis shall be disposed of as follows:

(1) Carcasses of cattle displaying lesions of cysticercus bovis shall be condemned if the infestation is extensive or if the musclature is edamatous or discolored. Carcasses shall be considered extensively infested if in addition to finding lesions in at least two of the usual inspection sites, namely the heart, diaphragm and its pillars, muscles of mastication, esophagus, tongue and musculature exposed during normal dressing operations, they are found in at least two of the sites exposed by (i) an incision made into each round exposing the musculature in cross section, and (ii) a transverse incision into each forelimb commencing 2 or 3 inches above the point of the olecranon and extending to the humerus.

(2) Carcasses of cattle showing one or more tapeworm lesions of cysticercus bovis but not so extensive as indicated in (1) of this section, as determined by a careful examination, including examination of, but not limited to, the heart, diaphragm and its pillars, muscles of mastication, esophagus, tongue, and musclature exposed during normal dressing operations, may be passed for human food after removal and condemnation of the lesions with surrounding tissues: Provided, that the carcasses, appropriately identified by retained tags, are held in cold storage under positive control of an inspector at a temperature not higher than 15°F, continuously for a period of not less than 10 days, or in the case of boned meat derived from such carcasses, the meat, when in boxes, tierces, or other containers, appropriately identified by retained tags, is held under positive control of an inspector at a temperature of not higher that 15° F. continuously for a period of not less than 20 days. As an alternative to retention in cold storage as provided in this subparagraph, such carcasses and meat may be heated throughout to a temperature of at least 140°F. under positive control of an inspector.

b. Edible viscera and offal shall be disposed of in the same manner as the rest of the carcass from which they are derived unless any lesion of cysticercus bovis is found in these byproducts, in which case they shall be condemned.

111.24 <u>Hogs Affected with Tapeworm Cysts.</u> Carcasses of hogs affected with tapeworm cysts (Cysticercus cellulosae) may be passed for cooking, unless the infestation is excessive, in which case the carcass shall be condemned.

## 111.25 Parasites not Transmissible to Man; Tapeworm Cysts in Sheep; Hydatid Cysts; Flukes; Gid Bladder-worms.

a. In the disposal of carcasses, edible organs, and other parts of carcasses showing evidence of infestation with parasites not transmissible to man, the following general rules shall govern except as otherwise provided in this section: If the lesions are localized in such manner and are of such character that the parasites and the lesions caused by them can be completely removed, the non-affected portion of the carcass, organ, or other part of the carcass may be passed for human food after the removal and condemnation of the affected portions. If an organ or other part of the carcass shows numerous lesions caused by parasites, or if the character of the infestation is such that complete extirpation of the parasitic infestation or invasion renders the part in any way unfit for human food, the affected part shall be condemned. If parasites are found to be distributed in a carcass in such a manner or to be of such character that their removal and the removal of the lesions caused by them is impraticable, no part of the carcass shall be passed for human food. If the infestation is excessive, the carcass shall be condemned. If the infestation is moderate, the carcass may be passed for cooking, but in case such carcass is not cooked as required by Part 114 of this chapter, it shall be condemned.

b. In the case of sheep carcasses affected with tapeworm cysts (Cysticercus ovis, so-called sheep measles, not transmissible to man), such carcasses may be passed for human food after the removal and condemnation of the affected portions: Provided, however, that if, upon the final inspection of sheep carcasses retained on account of measles, the total number of cysts found embedded in muscular tissue, or in immediate relation with muscular tissue, excluding the heart, exceeds five, the entire carcass shall be condemned, or such carcass shall be heated throughout to a temperature of at least  $140^{\circ}$  F after removal and condemnation of all affected portions.

c. Carcasses found infested with gid bladder-worms (coenurus cerebralis, Multiceps multiceps) may be passed for human food after condemnation of the affected organ (brain or spinal cord).

d. Organs or other parts of carcasses infested with hydatid cysts (echinococcus) shall be condemned.

e. Livers infested with flukes or fringed tapeworms shall be condemned.

111.26 <u>Emaciation</u>. Carcasses of livestock too emaciated to produce wholesome meat, and carcasses which show a serious infiltration of muscle tissues, or a serous or mucoid degeneration of the fatty tissue, shall be condemned. A gelatinous change of the fat of the heart and kidneys of well-nourished carcasses and mere leanness shall not be classed as emaciation.

111.27 Injured Animals Slaughtered at Unusual Hours. When it is necessary for humane reasons to slaughter an injured animal at night or on Sunday or a holiday when the inspector cannot be obtained, the carcass and all parts shall be kept for inspection, with the head and all viscera except the stomach, bladder, and intestines held by the natural attachments. If all parts are not so kept for inspection, the carcass shall be condemned. If, on inspector, any lesion or other evidence is found indicating that the animal was sick or diseased, or affected with any other condition requiring condemnation of the animal on ante-mortem inspection, or if there is lacking evidence of the condition which rendered emergency slaughter necessary, the carcass shall be condemned.

111.28 <u>Carcasses of Young Calves, Pigs, Kids, Lambs, and</u> <u>Foals.</u> Carcasses of young calves, pigs, kids, lambs, and foals are unwholesome and shall be condemned if (a) the meat has the appearance of being water-soaked, is loose, flabby, tears easily, and can be perforated with the fingers; or (b) its color is grayish-red; or (c) good muscular development as a whole is lacking, especially noticeable on the upper shank of the leg, where small amounts of serous infiltrates or small edematous patches are sometimes present between the muscles; or (d) the tissue which later develops as the fat capsule of the kidneys is edematous, dirty yellow, or grayish-red, tough, and intermixed with islands of fat.

111.29 <u>Unborn and Still Born Animals.</u> All unborn and stillborn animals shall be condemned and no hide or skin thereof shall be removed from the carcass within a room in which edible products are handled.

111.30 <u>Livestock Suffocated and Hogs Scalded Alive.</u> All livestock which have been suffocated in any way and hogs which have entered the scalding vat alive shall be condemned.

111.31 Livers Affected With Carotenosis; Livers Designated as "Telangiectatic," "Sawdust," or "Spotted."

a. Livers affected with carotenosis shall be condemned.

b. Cattle livers and calf livers showing the conditions sometimes designated as "telangiectatic." "sawdust," or "spotted" shall be disposed of as follows:

(1) When any or all of the conditions are slight in the organ, the whole organ shall be passed for human food without restriction.

(2) When any or all of the conditions are more severe than slight and involve less than one-half of the organ, while in the remainder of the organ the conditions are slight or nonexistent, the remainder shall be passed for human food without restriction and the other portion shall be condemned.

(3) When any or all of the conditions are more severe than slight and involve one-half or more of the organ, the whole organ shall be condemned.

(4) The divisions of an organ into two parts as contemplated in this paragraph for disposition, shall be accomplished by one cut through the organ. This, of course, does not prohibit incisions which are necessary for inspection.

c. "Telangiectatic," "sawdust," or "spotted" livers and parts of livers which are condemned for human food may be shipped from an official establishment for purposes other than human food in accordance with Section 113.10 of this chapter.

111.32 Vesicular Diseases.

a. Any carcass affected with vesicular disease shall be condemned if the condition is acute and if the extent of the condition is such that it affects the entire carcass or there is evidence of absorption or secondary change.

b. Any carcass affected with vesicular disease to a lesser extent than as described in paragraph (a) of this section may be passed for human food after removal and condemnation of the affected parts, if the carcass is otherwise healthy.

111.33 <u>Listeriosis</u>, Carcasses of livestock identified as T.T. Suspects because of a history of listeriosis shall be passed for human food after condemnation of the head if the carcass is otherwise normal.

111.35 <u>Muscular Inflammation</u>, Degeneration, or <u>Infiltration</u>.

a. If muscular lesions are found to be distributed in such a manner or to be of such character that removal is impractical, the carcass shall be condemned.

b. If muscular lesions are found to be distributed in such a manner or to be of such character that removal is practical, the/following rules shall govern the disposal of the carcasses, edible organs, and other parts of carcasses showing such muscular lesions. If the lesions are localized in such a manner and are of such a character that the affected tissues can be removed, the nonaffected parts of the carcass may be passed for for human food after the removal and condemnation of the affected portion. If a part of the carcass shows numerous lesions, or if the character of the lesion is such that complete extirpation is difficult and uncertainly accomplished, or if the lesion

renders the part in any way unfit for human food, the part shall be condemned.

c. If the lesions are slight or of such character as to be insignificant from a standpoint of wholesomeness, the carcass or parts may be passed for use in the manufacture of comminuted cooked product, after removal and condemnation of the visibly affected portions.

#### 111.36 Coccidioidal Granuloma.

a. Carcasses which are affected with generalized coccidioidal granuloma or which show systemic changes because of such disease shall be condemned.

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

111.37 Odors, Foreign and Urine.

a. Carcasses which give off a pronounced odor or 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 be 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.

111.38 <u>Meat and Meat Byproducts from Livestock which</u> <u>have been Exposed to Radiation</u>. Meat and meat byproducts from livestock which have been administered radioactive material shall be condemned.

111.39 <u>Biological Residues.</u> 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.

111.40 <u>Bullet Fragments.</u> The heads of all animals stunned or killed with bullets will be condemned. No parts of the head will be saved for human or animal food.

## PART 112 OFFICIAL MARKS, DEVICES AND CERTIFICATES

112.1 <u>General</u>. 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.

112.2 Official Marks and Devices to Identify Inspected and Passed Products of Cattle, Sheep, Swine, or Goats. a. The official inspection legend required by Part 115 of this chapter 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 approved by the Chief shall be in the appropriate form as hereinafter specified\*



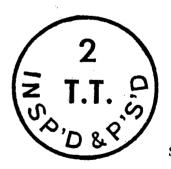
SIZE: 3/4 inches

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.



SIZE: 1¼ inches

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

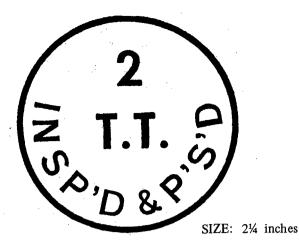


SIZE: 1½ inches

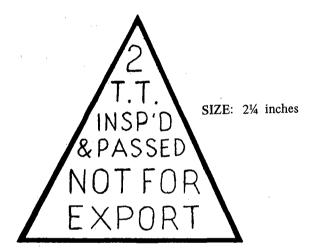
For application to beef and hog carcasses primal parts and cuts therefrom, beef livers, beef tongues, beef hearts, and smoked meats not in casings.

\*The number "2" is given as example only. The establishment number of the official establishment where the product is prepared shall be used in lieu thereof.

TERRITORIAL REGISTER, VOL. 1 NO. 4 – OCTOBER 15, 1974



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



For application to beef, swine and goat carcasses prepared in the absence of veterinary supervision of program employees.

b. Any brands, stamps, label, or other device approved by the Chief and bearing any official mark prescribed in paragraph (a) of this section shall be an official device for purposes of the Act.

112.3 Official Ante-mortem Inspection Marks and Devices. The official marks and devices used in connection with ante-mortem inspection are those prescribed in 109.17 of this chapter.

112.4 Official Seals for Transportation of Products.

a. The official mark for use in sealing ships refrigerators or other means of conveyance shall be the inscription and a serial number as hereinafter shown and any seal approved by the Chief 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. T.T. INSP'DEP'SD 0000100 03

112.5 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 108 and 110 of this chapter for use in post-mortem inspection and identification of adulterated products and insanitary equipment and facilities are:

(1) The tag (AHS-100) which is used to retain carcasses and parts of carcasses in the slaughter department; it is black and white, and bears the legend "T.T. Retained." It is a three-section tag as used for hogs, sheep, goats, and calves and a five-section tag as used for cattle.

(2) The "T.T. Retained" mark which is applied to products and articles prescribed in Part 110 of this chapter by means of a paper tag (Form AHS 100) bearing the legend "T.T. Retained!"

(3) The "T.T. Rejected" mark which is used to identify insanitary buildings, room, or equipment as prescribed in Part 108 of this chapter and is applied by means of paper tag (Form 101) bearing the legend "T.T. Rejected."

(4) The "T.T. Passed for Cooking" mark is applied on products passed for cooking as prescribed in Part 110 of this chapter by means of a brand and is in the following form:

## T.T. PASSED FOR COOKING

(5) The "T.T. Inspected and Condemned" mark shall be applied to products condemned as prescribed in Part 110 by means of a brand and is in the following form:

## T.T. INSP'D AND

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

112.6 <u>Official Export Inspection Marks</u>, <u>Devices</u>, and <u>Certificates</u>. The official export certificate is a paper certificate form for signature by a Program employee bearing the legend:

#### Trust Territory of the Pacific Islands Agriculture Division Animal Health Services Meat Inspection Bureau

Certification that meat or meat food product described on the form is from animals that received ante-mortem and post-mortem inspection and were found sound and healthy and that it has been inspected and passed as provided by law and the regulations of the Agriculture Division and is sound and wholesome. The certificate also bears a serial number such as "No. 184432.

112.7 Official Detention Marks and Devices. The official mark for articles and livestock detained shall be the designation T.T. Detained" and the official device for applying such mark shall be official tag form AHS 102.

PART 113. HANDLING AND DISPOSAL OF CONDEMNED OR OTHER INEDIBLE PRODUCTS AT OFFICIAL ESTABLISHMENTS

## 113.1 Disposition of Condemned Products at Official Establishments Having Tanking Facilities; Sealing of Tanks.

a. Carcasses, parts of carcasses, and other products condemned at official establishment having facilities for tanking shall, except as provided in paragraph (c) of this paragraph or elsewhere in this part, be disposed of by tanking as follows:

(1) The lower opening of the tank shall first be sealed securely by a Program employee, except when permanently connected with a blow line; then the condemned products shall be placed in the tank in his presence, after which the upper opening shall also be sealed securely by such employee, who shall then see that the contents of the tank are subjected for sufficient time to effectively destroy the contents for human food purposes.

(2) The use of equipment such as crushers or hashers for pretanking preparation of condemned products in the inedible products department has been found to give inedible character and appearance to the material. Accordingly, if condemned products are so crushed or hashed, conveying systems, rendering tanks, and other equipment used in the further handling of crushed or hashed material need not be locked or sealed during the tanking operations. If the rendering tanks or other equipment contain condemned material not so crushed or hashed, the equipment shall be sealed as prescribed in subparagraph (1) of this paragraph. If the crushed or hashed material is not rendered in the establishment where produced, it shall be denatured as provided for in Section 113.3 before leaving such establishment.

b. The seals of tanks shall be broken only by a Program employee and only after the contents of the tanks have been treated as provided in paragraph (a) of this section. The rendered fat derived from condemned material shall be held until a Program employee shall have had an opportunity to determine whether it conforms with the requirements of this section. Samples shall be taken by Program employees as often as is necessary to determine whether the rendered fat is effectually denatured.

c. Carcasses of animals condemned under Section 109.3 of this chapter may be disposed of as provided in Section 113.3, in lieu of tanking, with the approval of the inspector.

113.2 Tanking and Other Facilities for Inedible Products to be Separate From Edible Product Facilities. All tanks and equipment used for rendering, otherwise preparing, or storing inedible products shall be in rooms or compartments separate from those used for preparing or storing edible products. There shall be no connection between rooms or compartments containing inedible products and those containing edible products, except that there may be one connecting doorway between the slaughtering or viscera separating department and the tank charging room of the inedible products rendering department. Pipes and chutes installed in accordance with such arrangements as are permitted by Part 108 of this chapter, or as may be approved by the Chief in specific cases, may be used to convey inedible and condemned material from edible product departments to inedible product departments.

#### 113.3 <u>Disposition of Condemned Products at Official</u> Establishments Having No Tanking Facilities.

a. Carcasses, parts of carcasses, and other products condemned at an official establishment which has no facilities for tanking shall, except as provided in paragraph (b) of this section or elsewhere in this part, be destroyed in the presence of an inspector by incineration, or denatured with crude carbolic acid, or cresylic disinfectant, or a formula consisting of one part FD&C No. 3 green coloring, 40 parts water, 40 parts liquid detergent, and 40 parts oil citronella or any other proprietary material approved by the Chief in specific cases. When such product is to be denatured, it shall be freely slashed before the denaturing agent is applied, except that, in the case of dead animals that have not been dressed, the denaturant may be applied by injection. The denaturant must be deposited in all portions of the carcass or product to the extent necessary to preclude its use for food purposes.

b. All carcasses and parts condemned on account of anthrax, as identified in Section 110.9(b) of this subchapter, at official establishments which are not equipped with tanking facilities shall be disposed of by (1) complete incineration, or (2) by thorough denaturing with crude carbolic acid, or cresylic disinfectant, and then disposed of in accordance with the requirements of the particular district authorities, who shall be notified immediately by the officier in charge.