

A Guide to Red Meat Custom Exemptions

Virginia Department of Agriculture and Consumer Services (VDACS)

Office of Meat and Poultry Services

The Office of Meat & Poultry Services (OMPS) issues Custom Permits to qualified operators. Permits are valid from the date of issue until June 30 of each year. There is no fee for the permit.

Who is required to have a Custom Permit?

All Custom exempt operators are required to have a valid permit.

Exception: Custom exempt operators who have a Virginia State or Federal Grant of Inspection do not need to apply for a custom permit.

What is a Custom Exempt Operator?

A custom exempt operator slaughters amenable livestock (beef, pork, sheep, or goats) belonging to someone else and processes the carcasses and parts, for the exclusive use, in the household of that owner, by the owner, members of the owner's household, non-paying-guests, and employees. The custom exempt operator may also engage in the business of buying or selling other meat and meat food products, derived from Virginia State or Federal inspected sources. Custom exempt operators' doings so must contact the Office of Dairy and Foods 804. 786.3520.

A custom exempt operator may slaughter and/or process custom exempt product. The owner of the livestock may opt to have their livestock slaughtered under the custom exemption by one custom exempt operator, and then choose to have a second custom exempt operator do the processing. The owner of the livestock may also slaughter the animal and then have the carcass further processed at a custom exempt processing facility.

What are the regulatory requirements that must be met by custom exempt operators?

Regulations referenced in this section can be found at the end of this document.

Custom Slaughter and Custom Processing Criteria:

Custom exempt operations must result in meat and meat food products that are fit for human consumption.

1. The resulting product from the animal slaughtered and processed under this exemption is exclusively for the private use of the:
 - a. owner of the livestock,
 - b. members of the owner's household,
 - c. nonpaying guests, or
 - d. employees.

2. Records of the names and addresses of the owner of the livestock and products must be kept by the custom exempt operator. The recordkeeping requirements of 9 CFR 320.1 apply to custom exempt operations.
3. No livestock are slaughtered which result in food unfit for human consumption.
 - a. For reference, in official establishments non-ambulatory disabled cattle are considered unfit for human food and must be condemned, including those that become nonambulatory after passing ante-mortem inspection (9 CFR 309.3). However, custom operators may slaughter for human food cattle that become non-ambulatory disabled **after they are delivered** to the custom slaughter facility if the operator of the facility does not observe any other condition that would render the animal unfit for human food (74 FR 11463, 11464).
 - b. Field-dressed livestock (cattle, sheep, swine, and goats) may be brought in for custom exempt processing. The custom exempt operator may ask the owner of any field-dressed cattle to provide a written statement that the animal was ambulatory at the time of slaughter. This statement helps to support that the beef products are safe, wholesome and unadulterated.
 - c. The facility must handle and maintain inedible material to prevent the diversion of inedible animal products (including SRMs) into human food channels, resulting in the adulteration of human food (9 CFR 303.1(a)(2)(i), 303.1(b)(4), 381.10(a) (4), 416.2(b)(4), and 416.3(c)).
 - d. The regulation 9 CFR 303.1(b)(1) states that “exempted custom prepared products ... shall not be adulterated as defined in paragraph 1(m) of the Federal Meat Inspection Act.” Therefore, custom exempt product cannot contain SRMs, including the skull, brain, trigeminal ganglia, eyes, vertebral column, spinal cord, and dorsal root ganglia of cattle 30 months of age and older. The distal ileum of the small intestine and tonsils from all cattle are SRMs, considered inedible and, therefore, are not to enter the food supply (9 CFR 310.22). More information on BSE can be found at; <https://www.fsis.usda.gov/inspection/compliance-guidance/specified-risk-material-resources>
4. Livestock must be slaughtered and handled in compliance with the Humane Methods of Livestock Slaughter Act.
<https://www.fsis.usda.gov/wps/portal/fsis/topics/rulemaking/humane-methods-of-livestock-slaughter-act>
5. The facility must be operated and maintained in a manner sufficient to prevent the creation of insanitary conditions and to ensure that product is not adulterated.
 - a. The regulatory requirements of 9 CFR 416.1 to 416.6, except for 416.2(g) (2)-(6), apply to all custom exempt facilities.
 - b. The additional regulatory requirements, including recordkeeping, of 9 CFR 416.12 to 416.16 apply to custom exempt operations that are conducted in an official establishment, 9 CFR 303.1(a) (2) (i).

6. The custom exempt product cannot be sold or donated as it is exclusively for the use by the owner in their household. Articles which are capable for use as human food, if not delivered to the owner, must be denatured or otherwise identified in accordance with 9 CFR 325.13, so as to be made distinguishable from human food, per 9 CFR 303.1(b)(4).
7. The carcasses and parts prepared on a custom exempt basis shall be marked as "Not for Sale," or if placed in immediate containers labeled with "Not for Sale," until delivered to the owner, per 9 CFR 316.16.
8. In a facility that hosts both an official establishment and an unofficial custom exempt operation, the custom exempt prepared livestock products must be kept separate and apart, per 9 CFR 303.1(a)(2)(ii), from any products that are for sale. Separation can be achieved by time or space. For example, the same cooler can be used to store both custom exempt products and inspected products. The custom exempt products are stored on separate rails or shelves and marked "Not for Sale," which makes them separate and distinct from the inspected product.

Custom Slaughter and Custom Processing Notes:

1. There is no limit to the amount of livestock that an owner may slaughter and process for their personal use under the custom exemption.
2. If any of the eight criteria above are not met, the custom exempt operator may be ineligible for the exemption.
3. If the custom operations are conducted in a facility that also has an official Virginia State/USDA inspected operation, an owner's animal may be slaughtered under Virginia State/ USDA inspection if so desired by the owner. After the animal passes both ante-mortem and post-mortem inspections, it can be returned to the owner, unless condemned. The animal should be kept separate throughout the process in order to be returned to the owner.
4. Selling livestock to a customer does not disqualify a business from the custom exemption. A custom exempt operator may sell livestock to a person(s) prior to slaughter and then custom slaughter the animal for the new owner. The custom exempt operator would be required, upon request, to provide records, per 9 CFR 320.1(a), that fully disclose the transfer of ownership prior to slaughter or processing of the livestock.
5. The operator of a custom exempt facility may also slaughter and process their own livestock for their exclusive consumption, or members of their household, nonpaying guests or employees, under the personal use exemption.
6. Selling livestock to a customer and then allowing that owner to use onsite facilities for the slaughter of the livestock still constitutes personal use slaughter. However, once the seller assists in the slaughter or processing, then the facility becomes a custom exempt facility, subject to 9 CFR 303.1(a) (b).
7. A custom exempt operation may use a mobile slaughter and processing unit.
8. The equipment used for custom exempt slaughter and processing must be thoroughly cleaned and sanitized prior to their use for preparing any inspected products, per 9 CFR 416.12(a), to prevent direct contamination or adulteration of product(s).

9. The risk of infection from Trichinae is increased in swine that have access to rodents and wildlife, such as pasture-raised, free-range and feral swine. All forms of fresh pork, including fresh unsmoked sausage, are customarily well cooked in the home by the consumer, and therefore the treatment of such products for the destruction of trichinae is not needed. However, in order to produce a safe, wholesome and unadulterated product, pork products that might be eaten rare or without thorough cooking because of the appearance of the finished product, may require treatment for the destruction of trichinae.
10. FSIS recommends, but does not require, that custom exempt operators keep production records of cooking and cooling of meat food products to support that they produce safe, wholesome, unadulterated products as required by the FMIA.
11. Any canned product from custom exempt livestock must be prepared in accordance with 9 CFR 318 Subpart G – Canning and Canned Products, including written processing schedules.
12. Although the items listed below are not specifically required by the HMSA, FSIS recommends the custom exempt operators:
 - a. provide water and feed for animals in pens
 - b. maintain facilities in good repair to prevent injury to animals,
 - c. drive the livestock with a minimum of excitement and discomfort,
 - d. separate disabled animals from ambulatory animals,
 - e. not drag disabled animals while still conscious, and
 - f. handle animals in accordance with applicable state and local laws.
13. If an owner of the livestock wishes to transport custom exempt product from one custom exempt facility to another for further processing, they may do so. (The product must be marked “Not for Sale” during transportation, per 9 CFR 303.1(a) (2) (iii).
14. Commingling of fat trimmings and meat trimmings from custom exempt animals to facilitate rendering or sausage production is allowed with each owner’s written consent. All of the resulting commingled product must be clearly marked for “Not for Sale.”
15. There may be more than one owner of the live animal. Sharing a live animal is acceptable provided proof of ownership of the live animal is available, upon request to the custom exempt operator, for Agency review.
16. The custom exempt operator must maintain records showing the identity of the individual owners’ names prior to slaughter. In the case of more than one owner of the livestock, a list of the individual owners’ names is required prior to slaughter, per 9 CFR 303.1(b) (3).
17. Carcasses and other products of custom slaughter are not eligible to be sold. Therefore, sale or purchase of the live animal using the services of a custom exempt operator would be based on live weight, price-per-head, or other quantity pertaining to the live animal. The custom exempt operator can only charge the owner a service fee for the livestock slaughtered or prepared on a custom basis, not for the meat food product itself that is derived from the custom slaughter or processing because the custom exempt operator does not own the live animal nor the resultant product.

18. The custom exempt operator can arrange the purchase of a live animal for a customer, conduct the subsequent slaughter and processing, and arrange the delivery of the “Not for Sale” product to the owner because the FMIA does not preclude the custom exempt operator from acting as an agent on behalf of the livestock owner. The custom operator would be required, per 9 CFR 303.1(b) (3), to provide the name and address of the owner prior to custom slaughter.

Common Questions Regarding Custom Permits

I only slaughter animals I raise for my own use. Do I need a Custom Permit?

The slaughtering by any individual of livestock of their own raising, and the preparation by them and transportation in commerce of the carcasses, parts thereof, meat and meat food products of such livestock exclusively for use by them and the members of their household and their nonpaying guests and employees is allowed under the Personal Use Exemption. To claim this exemption, all of the personal use criteria must be met.

Personal Use Criteria:

1. The resulting product from the animal slaughtered and processed under this exemption is exclusively for the private use by the:
 - a. owner raising the livestock,
 - b. members of their household,
 - c. household nonpaying guests, or
 - d. employees.
2. The slaughter and processing of the livestock is performed by the owner of the livestock.
3. No livestock are slaughtered which are unfit for human consumption. Specified risk materials (SRMs) are inedible and prohibited for use as human food. SRM are defined as the skull, brain, trigeminal ganglia, eyes, vertebral column, spinal cord, and dorsal root ganglia of cattle 30 months of age or older. The ileum of the small intestine and tonsils from all cattle are SRM, considered inedible and, therefore, are not to enter the food supply.
4. The carcass and parts are not prepared, packed, or held under insanitary conditions.

Personal Use Notes:

1. All of the criteria above must be met, otherwise, the livestock is not eligible to be slaughtered and processed under this exemption.
2. There is no limit on the number of livestock that an owner may slaughter and process for their personal use.
3. A person may purchase livestock from a farm or ranch and then slaughter it onsite using the farm or ranch facilities or equipment.
 - a. If a person purchases livestock, and uses the onsite facilities without assistance from the seller, then the activity remains personal use.
 - b. If the seller participates in the slaughter or processing activity, then the facility owner is subject to the custom exempt criteria and must have a Custom Permit.
4. Personal use products, although uninspected, may move across State lines.

5. The owners of the livestock may or may not reside at the same physical location as the animal.
6. The exempt meat food products may not be sold or donated.

How do I determine if I need a Custom Permit of Exemption?

Answer the following questions to determine if you need a Custom Permit of Exemption.

1. Do you slaughter and/or process livestock for human food? If you answered this question no, you are not required to have a Custom Permit. If you answered this question yes, go to the next question.
2. Is the livestock you slaughter and process for your personal use only? If you answered yes, this is a personal use exemption and a Custom Permit is not required. If you answered this question no, go to the next question.
3. Are the products from the slaughter returned to the owner of the livestock for their personal use? If you answered this question yes, a Custom Permit of Exemption is required.

I only process meat, how do I determine if I need a Custom Permit of Exemption?

Answer the following questions to determine if you need a Custom Permit of Exemption.

1. Do you process carcasses or cuts of meat delivered by the owner of the meat and return those processed products to the owner for their personal use? If you answered this question yes, a Custom Permit is required. If you answered this question no, go to the next question.
2. Do you purchase and prepare inspected livestock carcasses and/or meat products and offer these for sale? If you answer this question yes, state law requires inspection for your facility and products. OMPS can help you determine which state or federal office you will need to contact for inspection service.

For any additional questions about this guide or to obtain a Custom Permit, please contact:

Office of Meat & Poultry Services, 804.768.4569

This is an EQUAL OPPORTUNITY PROGRAM. If you believe, you have been discriminated against on basis of race, gender (including sexual harassment, sexual orientation, gender identity and pregnancy), color national origin, religion, age, veteran's status, political affiliation, or disability, write or call: Program Manager, OMPS, 102 Governor Street, Suite 133, Richmond, VA 23218. Phone 804.786.4569 (voice) or Human Resource Office 804.371.7719 (voice) 800.828.1120 (TDD) email:

hr.vdacs@vdacs.virginia.gov

REGULATORY REFERENCES APPLYING TO CUSTOM OPERATORS

9 CFR 416.1 All facilities and equipment must be constructed and maintained to prevent the creation of insanitary conditions and the adulteration of product.

9 CFR 416.2 (a) Outside areas should be maintained to prevent conditions that could lead to insanitary conditions or adulteration of product. A pest control program should be in place to prevent the entry of rodents, insects, or animals into area where products are handled, processed, or stored. Pest control substances used are safe and effective under the conditions of use and are not applied or stored in a manner that will result in the adulteration of product or the creation of insanitary conditions.

9 CFR 416.2(b) (1) Establishment buildings including their structures, rooms, and compartments must be of sound construction, be kept in good repair, and be of sufficient size to allow for processing, handling, and storage of product in a manner that does not result in product adulteration or the creation of insanitary conditions. (2) Walls, floors, and ceilings within establishments must be built of durable materials impervious to moisture and be cleaned and sanitized as necessary to prevent adulteration of product or the creation of insanitary conditions. (3) Walls, floors, ceilings, doors, windows, and other outside openings must be constructed and maintained to prevent the entrance of vermin, such as flies, rats, and mice. (4) Rooms or compartments in which edible product is processed, handled, or stored must be separate and distinct from rooms or compartments in which inedible product is processed, handled, or stored, to the extent necessary to prevent product adulteration and the creation of insanitary conditions.

9 CFR 416.2(c) Lighting of good quality and sufficient intensity to ensure that sanitary conditions are maintained and that product is not adulterated must be provided in areas where food is processed, handled, stored, or examined; where equipment and utensils are cleaned; and in hand-washing areas, dressing and locker rooms, and toilets.

9 CFR 416.2(d) Ventilation adequate to control odors, vapors, and condensation to the extent necessary to prevent adulteration of product and the creation of insanitary conditions must be provided.

9 CFR 416.2(e) Plumbing systems must be installed and maintained to: (1) Carry sufficient quantities of water to required locations throughout the establishment; (2) Properly convey sewage and liquid disposable waste from the establishment; (3) Prevent adulteration of product, water supplies, equipment, and utensils and prevent the creation of insanitary conditions throughout the establishment; (4) Provide adequate floor drainage in all areas where floors are subject to flooding-type cleaning or where normal operations release or discharge water or other liquid waste on the floor; (5) Prevent back-flow conditions in and cross-connection between piping systems that discharge waste water or sewage and piping systems that carry water for product manufacturing; and (6) Prevent the backup of sewer gases.

9 CFR 416.2(f) Sewage must be disposed into a sewage system separate from all other drainage lines or disposed of through other means sufficient to prevent backup of

sewage into areas where product is processed, handled, or stored. When the sewage disposal system is a private system requiring approval by a State or local health authority, the establishment must furnish FSIS with the letter of approval from that authority upon request.

9 CFR 416.2(g)(1) A supply of running water that complies with the National Primary Drinking Water regulations (40 CFR part 141), at a suitable temperature and under pressure as needed, must be provided in all areas where required (for processing product, for cleaning rooms and equipment, utensils, and packaging materials, for employee sanitary facilities, etc.). If an establishment uses a municipal water supply, it must make available to FSIS, upon request, a water report, issued under the authority of the State or local health agency, certifying or attesting to the potability of the water supply. If an establishment uses a private well for its water supply, it must make available to FSIS, upon request, documentation certifying the potability of the water supply that has been renewed at least semi-annually.

9 CFR 416.2(h) Dressing rooms, lavatories, and toilets: (1) Dressing rooms, toilet rooms, and urinals must be sufficient in number; ample in size, conveniently located, and maintained in a sanitary condition and in good repair at all times to ensure cleanliness of all persons handling any product. They must be separate from the rooms and compartments in which products are processed, stored, or handled. (2) Lavatories with running hot and cold water, soap, and towels, must be placed in or near toilet and urinal rooms and at such other places in the establishment as necessary to ensure cleanliness of all persons handling any product. (3) Refuse receptacles must be constructed and maintained in a manner that protects against the creation of insanitary conditions and the adulteration of product.

9 CFR 416.3(a) Equipment and utensils used for processing or otherwise handling edible product or ingredients must be of such material and construction to facilitate thorough cleaning and to ensure that their use will not cause the adulteration of product during processing, handling, or storage. Equipment and utensils must be maintained in sanitary condition so as not to adulterate product.

9 CFR 416.3(c) Receptacles used for storing inedible material must be of such material and construction that their use will not result in the adulteration of any edible product or in the creation of insanitary conditions. Such receptacles must not be used for storing any edible product and must bear conspicuous and distinctive marking to identify permitted uses.

9 CFR 416.4(a) All food-contact surfaces, including food-contact surfaces of utensils and equipment, must be cleaned and sanitized as frequently as necessary to prevent the creation of insanitary conditions and the adulteration of product.

9 CFR 416.4(b) Non-food-contact surfaces of facilities, equipment, and utensils used in the operation of the establishment must be cleaned and sanitized as frequently as necessary to prevent the creation of insanitary conditions and the adulteration of product.

9 CFR 416.4(c) Cleaning compounds, sanitizing agents, processing aids, and other chemicals used must be safe and effective under the conditions of use. Storage, handling and use of these chemicals should not adulterate product or create insanitary conditions.

9 CFR 416.4(d) Product must be protected from adulteration during processing, handling, storage, loading, and unloading at and during transportation from official establishment.

9 CFR 416.5(a) All persons working in contact with product, food-contact surfaces, and product-packaging materials must adhere to hygienic practices while on duty to prevent adulteration of product and the creation of insanitary conditions.

9 CFR 416.5(b) Aprons, frocks, and other outer clothing worn by persons who handle product must be of material that is disposable or readily cleaned. Clean garments must be worn at the start of each working day and garments must be changed during the day as often as necessary to prevent adulteration of product and the creation of insanitary conditions.

9 CFR 416.5(c) Any person who has or appears to have an infectious disease, open lesion, including boils, sores, or infected wounds, or any other abnormal source of microbial contamination, must be excluded from any operations which could result in product adulteration and the creation of insanitary conditions until the condition is corrected.

9 CFR 303.1(a) The requirements of the Act and the regulations in this subchapter 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 articles, 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) Establishments that conduct custom operations must be maintained and operated in accordance with the provisions of Sec. Sec. 416.1 through 416.6, except for: Sec. 416.2(g)(2) through (6) of this chapter, regarding water reuse and any provisions of part 416 of this chapter relating to inspection or supervision of specified activities or other action by a Program employee. If

custom operations are conducted in an official establishment, however, all of the provisions of Part 416 of this chapter shall apply to those operations. (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 Sec. 316.16 of this subchapter, 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.

9 CFR 303.1(b)(1) The exempted custom prepared products shall be prepared and handled in accordance with the provisions of Sec. 318.5, 318.6, 318.7, 318.10, and 318.300 through 318.311 of this subchapter and shall not be adulterated as defined in paragraph 1(m) of the Act: Provided, That the provisions of Sec. 318.5, 318.6, 318.10, and 318.300 through 318.311 relating to inspection or supervision of specified activities or other action by a Program inspector, and the provisions of Sec. 318.6(b)(9) and (10), shall not apply to the preparation and handling of such exempted products. (2) The exempted custom prepared products shall comply with the requirements of Sec. 316.16 and 317.16 of this subchapter. (3) The custom operators claiming exemption under paragraph (a)(2) of this section shall keep records, in addition to records otherwise required by part 320 of this subchapter, showing the numbers and kinds of livestock slaughtered on a custom basis, the quantities and types of products prepared 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 in accordance with Sec. 325.13 of this subchapter 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.

9 CFR 310.22 Specified risk materials from cattle. Custom exempt product cannot contain SRM. SRM are defined as the skull, brain, trigeminal ganglia, eyes, vertebral column, spinal cord, and dorsal root ganglia of cattle 30 months of age or older. The ileum of the small intestine and tonsils from all cattle are SRM, considered inedible and, therefore, are not to enter the food supply.

9 CFR 316.16 Custom prepared products to be marked "Not for Sale." Carcasses and parts therefrom that are prepared on a custom basis under Sec. 303.1(a) (2) of this subchapter shall be marked at the time of preparation with the term "Not for Sale" in letters at least three-eighths inch in height, except that such products need not be so marked if in immediate containers properly labeled in accordance with the regulations in Sec. 317.16 of this subchapter. Ink used for marking such products must comply with the requirements of Sec. 316.5.

9 CFR 317.16 Labeling and containers of custom prepared products. Products that are custom prepared under Sec. 303.1(a)(2) of this subchapter must be packaged immediately after preparation and must be labeled (in lieu of information otherwise required by this part 317) with the words "Not For Sale" in lettering not less than three-eighth inch in height. Such exempted custom prepared products or their containers may bear additional labeling provided such labeling is not false or misleading.

9 CFR 318.5 Requirements concerning procedures. (a)(1) Care shall be taken to assure that product is not adulterated when placed in freezers. If there is doubt as to the soundness of any frozen product. (2) Frozen product may be defrosted in water or pickle. Before such product is defrosted, a careful examination shall be made to determine its condition. If necessary, this examination shall include defrosting of representative samples by means other than in water or pickle(b) Product, such as pork tenderloins, brains, sweetbreads, stew, or chop suey, shall not be packed in hermetically sealed metal or glass containers, unless subsequently heat processed or otherwise treated to preserve the product in a manner approved by the Administrator in specific cases.(c) Care shall be taken to remove bones and parts of bones from product which is intended for chopping.(d) Heads for use in the preparation of meat food products shall be split and the bodies of the teeth, the turbinated and ethmoid bones, ear tubes, and horn butts removed, and the heads then thoroughly cleaned.(e) Kidneys for use in the preparation of meat food products shall first be freely sectioned and then thoroughly soaked and washed. All detached kidneys, including beef kidneys with detached kidney fat. (f) Cattle paunches and hog stomachs for use in the preparation of meat food products shall be thoroughly cleaned on all surfaces and parts immediately after being emptied of their contents, which shall follow promptly their removal from the carcasses. (g) Clotted blood shall be removed from hog hearts before they are shipped from the official establishment or used in the preparation of meat food products.

9 CFR 318.6 Requirements concerning ingredients and other articles used in preparation of products. (a) All ingredients and other articles used in the preparation of any product shall be clean, sound, healthful, wholesome, and otherwise such as will not result in the product being adulterated. (b)(1) The only animal casings that may be used as containers of product are those from sheep, swine, or goats. Casings from cattle may be used as containers of products provided the casings are not derived from the small intestine. (2) Only those casings which have been carefully washed and thoroughly flushed with clean water immediately before stuffing and are suitable for containers, are clean, and are passed on such inspection shall be used, except that preflushed animal casings packed in salt or salt and glycerine solution or other approved medium may be used without additional flushing provided they are found to be clean and otherwise acceptable and are thoroughly rinsed before use.(3) Hog and sheep casings intended for use as containers of product may be treated by soaking in or applying thereto sound, fresh pineapple juice or papain or bromelin or pancreatic extract to permit the enzymes contained in these substances to act on the casings to make them less resistant. The casings shall be handled in a clean and sanitary manner throughout, the treatment shall be followed by washing, and flushing the casings with water sufficiently to effectively

remove the substance used and terminates the enzymatic action. (4) On account of the invariable presence of bone splinters, detached spinal cords shall not be used in the preparation of edible product other than for rendering where they constitute a suitable raw material. Detached spinal cords from cattle 30 months of age and older shall not be used as raw materials for edible rendering. (5) Testicles if handled as an edible product may be shipped from the official establishment as such, but they shall not be used as an ingredient of a meat food product. (6) Tonsils shall be removed and shall not be used as ingredients of meat food products. (7) Blood from livestock prepared in accordance with Sec. 310.20 of this subchapter may be used as an ingredient of a meat food product for which a standard is prescribed in part 319 of this subchapter, if permitted by such standard, and may be used in any meat food product for which no such standard is prescribed in part 319 of this subchapter if it is a common and usual ingredient of such product. (8) Intestines shall not be used as ingredients in any meat food product for which a standard is prescribed in part 319 of this subchapter and shall not be used in other products unless the products are labeled in accordance with Sec. 317.8(b)(3) of this subchapter. The small intestine of cattle shall not be used in any meat food products or for edible rendering. (12) Ingredients for use in any product may not bear or contain any pesticide chemical or other residues in excess of level permitted in Sec. 318.16. (13) Use of "Mechanically Separated (Kind of Poultry)," as defined in Sec. 381.173 of this chapter, in the preparation of meat food products shall accord with Sec. 381.174 and all other applicable provisions of this subchapter.

Regulation 9 CFR 318.10 was removed effective 8/30/2018. Custom Operators in operation before this date who follow this regulation for processing pork and products containing pork may continue to do so. Custom Operators applying for their initial custom permit after this effective date must follow the "FSIS Compliance Guideline for the Prevention & Control of Trichinella & other Parasitic Hazards in Pork and Products containing Pork" or other scientific documentation to support their process.

9 CFR 320.1 (a) Every person (including every firm or corporation) within any of the classes specified in paragraph (a) (1), (2), or (3) of this section is required by the Act to keep records which will fully and correctly disclose all transactions involved in his or its business subject to the Act: (1) Any person that engages, for commerce, in the business of slaughtering any cattle, sheep, swine, goats, horses, mules, or other equines, or preparing, freezing, packaging, or labeling any carcasses, or parts or products of carcasses, of any such animals, for use as human food or animal food; (2) Any person that engages in the business of buying or selling (as a meat broker, wholesaler, or otherwise), or transporting in commerce, or storing in or for commerce, or importing, any carcasses, or parts or products of carcasses, of any such animals; (3) Any person that engages in business, in or for commerce, as a renderer, or engages in the business of buying, selling, or transporting in commerce, or importing, any dead, dying, disabled, or diseased cattle, sheep, swine, goats, horses, mules, or other equines, or parts of the carcasses of any such animals that died otherwise than by slaughter. (b) The required records are: (1) Records, such as bills of sale, invoices, bills of lading, and receiving and shipping papers, giving the following information with respect to each transaction in

which any livestock or carcass, part thereof, meat or meat food product is purchased, sold, shipped, received, transported, or otherwise handled by said person in connection with any business subject to the Act:(i) The name or description of the livestock or article;(ii) The net weight of the livestock or article;(iii) The number of outside containers (if any);(iv) The name and address of the buyer of livestock or article sold by such person, and the name and address of the seller of livestock or articles purchased by such person;(v) The name and address of the consignee or receiver (if other than the buyer);(vi) The method of shipment;(vii) The date of shipment; and(viii) The name and address of the carrier.(ix) In the case of a person belonging to the class specified in paragraph (a)(2)(5) Guaranties provided by suppliers of packaging materials under Sec. 317.20.(7) Sample results and calculation results as required by processing procedures to destroy trichinae in Sec. 318.10(c)(3)(iv) (Methods 5 and 6).(9) Records as required in Sec. 318.23(b) and (c).(11) Records of all labeling, along with the product formulation and processing procedures, as prescribed in Sec. 317.4 and Sec. 317.5.

9 CFR 320.2 Place of maintenance of records. Every person engaged in any business described in Sec. 320.1 and required by this part to keep records shall maintain such records at the place where such business is conducted except that if such person conducts such business at multiple locations, he may maintain such records at his headquarters' office. When not in actual use, all such records shall be kept in a safe place at the prescribed location in accordance with good commercial practices.

9 CFR 320.3 Record retention period. (a) Every record required to be maintained under this part shall be retained for a period of 2 years after December 31 of the year in which the transaction to which the record relates has occurred and for such further period as the Administrator may require for purposes of any investigation or litigation under the Act, by written notice to the person required to keep such records under this part.

9 CFR 320.4 Access to and inspection of records, facilities and inventory; copying and sampling. Representatives of the Secretary afforded access to a business specified in Sec. 320.1 of this part (see Sec. 300.6(b)(2) of this chapter) also must be afforded any necessary facilities (other than reproduction equipment) for the examination and copying of records and for the examination and sampling of inventory.

9 CFR 325.13 Denaturing procedures.(a) Carcasses, parts thereof, meat and meat food products (other than rendered animal fats) that have been treated in accordance with the provisions of this paragraph shall be considered denatured for the purposes of the regulations in this part, except. (1) The following agents are prescribed for denaturing carcasses, parts thereof, meat or meat food products: Crude carbolic acid; cresylic disinfectant; a formula consisting of 1 part FD&C green No. 3 coloring, 40 parts water, 40 parts liquid detergent, and 40 parts oil of citronella, or other proprietary substance approved by the Administrator in specific cases. (2) Except as provided in paragraphs (a)(3), (4), and (5) of this section, the following agents are prescribed for denaturing other carcasses, parts thereof, meat and meat food products, for which denaturing is required by this part: FD&C green No. 3 coloring; FD&C blue No. 1 coloring; FD&C blue No. 2 coloring; finely powdered charcoal; or other proprietary substance approved by the

Administrator in specific cases.(3) Tripe may be denatured by dipping it in a 6 percent solution of tannic acid for 1 minute followed by immersion in a water bath, then immersing it for 1 minute in a solution of 0.022 percent FD&C yellow No. 5 coloring;(4) Meat may be denatured by dipping it in a solution of 0.0625 percent tannic acid, followed by immersion in a water bath, then dipping it in a solution of 0.0625 percent ferric acid; and(5) When meat, meat byproducts, or meat food products are in ground form, 4 percent by weight of coarsely ground hard bone, which shall be in pieces no smaller than the opening size specified for No. 5 mesh in the standards issued by the U.S. Bureau of Standards or 6 percent by weight of coarsely ground hard bone, which shall be in pieces no smaller than the opening size specified for No. 8 mesh in said Standards, uniformly incorporated with the product may be used in lieu of the agents prescribed in paragraph (a)(2) of this section.(6) Before the denaturing agents are applied to articles in pieces more than 4 inches in diameter, the pieces shall be freely slashed or sectioned. (If the articles are in pieces not more than 4 inches in diameter, slashing or sectioning will not be necessary.) The application of any of the denaturing agents listed in paragraph (a) (1) or (2) of this section to the outer surface of molds or blocks of boneless meat, meat byproducts, or meat food products shall not be adequate. The denaturing agent must be mixed intimately with all of the material to be denatured, and must be applied in such quantity and manner that it cannot easily and readily be removed by washing or soaking. A sufficient amount of the appropriate agent shall be used to give the material a distinctive color, odor, or taste so that such material cannot be confused with an article of human food.(7) Carcasses (other than viscera), parts thereof, cuts of meat, and unground pieces of meat darkened by charcoal or other black dyes shall be deemed to be denatured pursuant to this section only if they contain at least that degree of darkness depicted by diagram 1 of the Meat Denaturing Guide (MP Form 91). (b) Inedible rendered animal fats shall be denatured by thoroughly mixing therein denaturing oil, No. 2 fuel oil, brucine dissolved in a mixture of alcohol and pine oil or oil of rosemary, finely powdered charcoal, or any proprietary denaturing agent approved for the purpose by the Administrator in specific cases. The charcoal shall be used in no less quantity than 100 parts per million and shall be of such character that it will remain suspended indefinitely in the liquid fat. Sufficient of the chosen identifying agents shall be used to give the rendered fat so distinctive a color, odor, or taste that it cannot be confused with an article of human food.

Note: Inedible materials must be controlled to prevent the diversion of inedible products (including SRMs) into human food channels or the adulteration of human food.

21 U.S.C. 610(b) Humane Methods of Slaughter Act. The Act requires; (1) facilities to have water available to any livestock in holding pens. (2) All livestock to be handled humanely, moving animals calmly and without excessive prodding. (3) Pen and alleyways kept in good repair. (4) Humane handling of disabled livestock. (5) Appropriate and effectively administered stunning methods, which produce unconsciousness before the animal is shackled, hoisted, thrown, cast or cut. (6) Animals slaughtered in accordance with ritual requirements of a religious faith suffer loss of consciousness by anemia of the brain, caused by the simultaneous and instantaneous

severance of the carotid arteries with a sharp instrument. (7) Observance of any egregious situations (Acts of cruelty and/or ignored conditions that could lead to harm of the animal) or repeated noncompliance with humane slaughter.