

Rule 40-10-1-.01. Federal - State Cooperation

- (1) The requirements of the Georgia Meat Inspection program will be at least equal to those imposed under Title 1 and Title IV of the Federal Meat Inspection Act.
- (2) The State of Georgia adopts U.S.D.A. Food Safety and Inspection Service (FSIS) rules and regulations for mandatory meat inspection as indicated in this chapter and in Title 9 Code of Federal Regulations, Chapter III (9CFR3), Parts: 307; 309; 310; 311; 313; 314; 315; 316; 317; 318; 319; 320; 325; 329; 381; 416; 417; 424; 430; 431; 441; 442; & 500 for mandatory meat and poultry inspection requirements not covered specifically in this chapter.

Authority: O.C.G.A. Secs. 26-2-60, 26-2-61, 26-2-80.

Rule 40-10-1-.04. Exemptions

- (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, non-traditional livestock, rabbits, 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 non-traditional livestock, rabbits 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) The establishment in which the custom operations are conducted is maintained and operated in accordance with the requirements of 40-10-1-.10 of this chapter;

- (ii) If the custom operator prepared 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 40-10-1-.18 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.
 - 3. The slaughter and processing of rabbits by any person who raises rabbits for slaughter and processing for sale at wholesale and retail in numbers not to exceed 2500 rabbits per year.
- (b) Exempted custom prepared products.
- 1. The exempted custom prepared products shall be prepared and handled in accordance with 40-10-1-.20 (5), (6), (7), (10), (11) and 40-10-1-.21 of this chapter and shall not be adulterated as defined in paragraph I.(m) of the Act.
 - 2. The exempted custom prepared products shall comply with the requirements of 40-10-1-.18 (16) and 40-10-1-.19 (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 40-10-1-.22 of this chapter, 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 this chapter 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) Reserved.
- (d) Exempted retail prepared products.

1. The requirements of the Act and the regulations in this chapter for inspection of the preparation of products do not apply to operations of types traditionally and usually conducted at retail stores and restaurants, when conducted at any retail store or restaurant or similar retail-type establishment in Georgia for sale in normal retail quantities or service of such articles to consumers at such establishments.
2. For purposes of subparagraph 1. of this paragraph, operations of types traditionally and usually conducted at retail stores and restaurants are the following:
 - (i) Cutting up, slicing, and trimming carcasses, halves, quarters, or wholesale cuts into retail cuts such as steaks, chops, and roasts, and freezing such cuts;
 - (ii) Grinding and freezing products made from meat;
 - (iii) Curing, cooking, smoking, or other preparations of products, except slaughtering, rendering, or refining or livestock fat or the retort-processing of canned products;
 - (iv) Breaking bulk shipments of products;
 - (v) Wrapping or rewrapping products.
3. Any quantity or product purchased by a consumer from a particular retail supplier shall be deemed to be a normal retail quantity if the quantity so purchased does not in the aggregate exceed one-half carcass. The following amounts of product will be accepted as representing one-half carcass of the species identified:

One-half carcass pounds	
Cattle	300
Calves	37.5
Sheep	27.5
Swine	100
Goats	25
4. A retail store is any place of business where the sales of product are made to consumers only; at least 75 percent, in terms of dollar value, of total sales of product represents sales to household consumers and the total dollar value of sales of product to consumers other than household consumers does not exceed the dollar limitation per calendar year set by the USDA Administrator; only federally or State inspected and passed product is

handled or used in the preparation of any product; no sale of product is made in excess of a normal retail quantity as defined in subdivision (1)(d)3. of this subparagraph; the preparation of products for sale to household consumers is limited to traditional and usual operations as defined in subdivision (1)(d)2. of this subparagraph; and the preparation of products for sale to other than household consumers is limited to traditional and usual operations as defined in (i), (ii), (iv), and (v) of subdivision 2. of this subparagraph.

5. A restaurant is any establishment where product is prepared only for sale or service, in meals, or as entrees, directly to individual consumers at such establishment; only federally or State inspected and passed product or such product prepared at a retail store exempted under subdivision (1)(d)2. of (i), (ii), (iv), and (v) subparagraph is handled or used in the preparation of any product; no sale of product is made in excess of a normal retail quantity as defined in subdivision 3. of this subparagraph; and the preparation of product is limited to traditional and usual operations as defined in subdivision 2. of this subparagraph. This definition includes a caterer which delivers or serves product in meals, or as entrees, only to individual consumers and otherwise meets the requirements of this paragraph.
6. For the purpose of this paragraph, operations conducted at a restaurant central kitchen facility shall be considered as being conducted at a restaurant if the restaurant central kitchen prepares meat or meat food products that are ready-to-eat when they leave such facility (i.e., no further cooking or other preparation is needed, except that they may be reheated prior to serving if chilled during transportation), transported directly to a receiving restaurant by its own employees, without intervening transfer or storage, maintained in a safe, unadulterated condition during transportation and served in meals or as entrees only to customers at restaurants or through vending machines, owned or operated by the same person that owns or operates such facility, and which otherwise meets the requirements of this paragraph; provided that the requirements of 40-10-1-.22 apply to such facility. Provided further that the exempt facility may be subject to inspection requirements under the Act (GMIA) for as long as the Commissioner determines that the sanitary conditions or practices of the facility or the processing procedure or methods at the facility are such that any of its meat or meat food products are rendered adulterated. When the Commissioner has made such determination and subjected a restaurant central kitchen facility to such inspection requirements, the operator of such facility shall be afforded an opportunity to dispute the Commissioner's determination in a hearing pursuant to the rules of practice which will be adopted for this proceeding.

7. Similar retail-type establishment: Any establishment which is a combination retail store and restaurant; any delicatessen which meets the requirements for a retail store or restaurant as prescribed in subdivisions 3. and 4. of this subparagraph; or other establishment as determined by the Commissioner in specific cases.
 8. Consumer: Any household consumer, hotel, restaurant, or similar institution as determined by the Commissioner in specific cases.
- (e) Whenever any complaint is received by the Commissioner from any person alleging that any retail store claiming exemption under this paragraph (d) has been operated in violation of the conditions prescribed in this section for exemption, and the Commissioner, upon investigation of the complaint, has reason to believe that any such violation has occurred he shall so notify the operator of the retail store and afford him reasonable opportunity to present his views informally with respect to the matter. Thereafter, if the Commissioner still has reason to believe that such a violation has occurred, and that a requirement that the operator keep records concerning the operations of the retail store would effectuate the purposes of the Act, the Commissioner shall order the operator to maintain complete, accurate, and legible records of total monthly purchases and of total monthly sales of meat, meat byproducts, and meat food products, in terms of dollar values of the products involved. Such records shall separately show total sales to household consumers and total sales to other consumers and shall be maintained for the period prescribed in 40-10-1-.22 (3) of this chapter. If the operator maintains copies of bills of lading, receiving and shipping invoices, warehouse receipts, or similar documents which give the information required herein, additional records are not required by this subparagraph.
- (f) The adulteration and misbranding provisions of the Act and the regulations in this chapter, other than the requirement of the official inspection legend, apply to articles which are exempted from inspection or not required to be inspected under this section. ~~This includes the requirement that any pork and any product containing pork be prepared only in compliance with any applicable requirement for the destruction of trichina as provided in 40-10-1-.20 (10) of this chapter.~~
- (g) The Commissioner may extend the inspection requirements to any establishment in the State at which products are prepared for distribution solely within the State, if he determines in accordance with the provisions of the Act that it is producing adulterated products which would clearly endanger the public health.
- (h) The Commissioner 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.

Authority: O.C.G.A. Secs. 26-2-60, 26-2-80.

Rule 40-10-1-.20. Entry Into Official Establishments, Reinspection and Preparation of Products

- (1) Products and other articles entering official establishment:
 - (a) Except as otherwise provided in paragraphs (g) and (h) of this section, no product be brought into an official establishment unless it has been prepared only in an official establishment and previously inspected and passed by a Program employee, and is identified by an official inspection legend as so inspected and passed. Product entering any official establishment shall not be used or prepared thereat until it has been reinspected in accordance with 40-10-1-.20 (2).
 - (b) No slaughtered poultry or poultry product shall be brought into an official establishment unless it has been previously inspected and passed and is identified as such in accordance with the requirements of the Poultry Products Inspection Act (21 U.S.C. 451 *et seq.*) and the regulations thereunder, and has not been prepared other than in an establishment inspected under said Act or has been inspected and passed and is identified as such in accordance with the requirements of a state law;
 - (c) Every article for use as an ingredient in the preparation of meat food products, when entering any official establishment and at all times while it is in such establishment, shall bear a label showing the name of the article, the amount or percentage therein of any substances restricted by this part of 40-10-1-.19 of this chapter, and a list of ingredients in the article if composed of two or more ingredients. In addition, the label must show the name and address of the manufacturer or distributor.
 - (d) Containers of preparations which enter any official establishment for use in cooling or retort water, in hog scalding water, or in denuding of tripe shall at all times while they are in such establishment bear labels, showing the chemical names of the chemicals in such preparations. In the case of any preparation containing any chemicals which are specifically limited by 40-10-1-.21 (7)(b) 4. as to amount permitted to be used, the labels on the containers shall also show the percentage of each such chemical in the preparation;
 - (e) No prohibited dye, chemical, preservative, or other substance shall be brought into or kept in an official establishment for use as an ingredient of human food or animal feed;

- (f) All isolated soy protein when entering and while in any official establishment, must be labeled in accordance with, and otherwise meet the requirements of 40-10-1-.20 (6)(b) 11.;
- (g) Glands and organs, such as cotyledons, ovaries, prostate glands, tonsils, spinal cords, and detached lymphatic, pineal, pituitary, parathyroid, suprarenal, pancreatic, and thyroid glands, used in preparing pharmaceutical, organotherapeutic, or technical products and which are not used as human food (whether or not they may be prepared at any official establishments) may be brought into and stored in edible product departments of inspected establishments if packaged in suitable containers so that the presence of such glands and organs will in no way interfere with the maintenance of sanitary conditions or constitute an interference with inspection. Glands or organs which are regarded as human food products, such as livers, testicles, and thymus glands, may be brought into official establishments for pharmaceutical, organic, therapeutic, or technical purposes, only if Georgia inspected and passed and so identified;
- (h) Carcasses of game animals, and carcasses derived from the slaughter by any person of livestock of his own raising, and parts of such carcasses, may be brought into an official establishment for preparation, packaging, and storing provided that they do not result in any insanitary condition and are segregated from inspected product while in the official establishment, and, in the case of livestock products they are adequately marked or otherwise identified, in lieu of other marking or labeling required by the regulations of this chapter, as being not for sale and with the name and address of the owner of the products, and provided further, that the owner of any such carcasses or parts thereof of livestock certifies that the products thereof are intended exclusively for use by him and members of his household and his nonpaying guests and employees;
- (i) The official establishment shall furnish such information as the inspector may deem necessary to determine the origin of any product or other article entering the official establishment. Such information may include, but is not limited to, the name and address, of the seller or supplier, transportation company, agent, or broker involved in the sale or delivery of the product or article in question;
- (j) Any product or any poultry or poultry product or other article that is brought into an official establishment contrary to any provision of this section may be required by the Commissioner to be removed immediately from such establishment by the operator thereof, and failure to comply with such requirement shall be deemed a violation of this regulation. If any slaughtered poultry or poultry products or other articles are received at an official establishment and are suspected of being adulterated or misbranded under the Poultry Products Inspection Act or the Federal Food, Drug, and Cosmetic Act, the appropriate governmental authorities will be notified. Products received in an official establishment during the inspector's

absence shall be held separate and apart in the establishment, pending inspection by the inspector.

(2) Reinspection, retention, and disposal of products at official establishments:

- (a) All products and all slaughtered poultry and poultry products brought into any official establishment shall be identified and reinspected at the time of receipt, and shall be further subject to reinspection at any official establishment in such manner and at such times as may be deemed necessary by the officer in charge to assure compliance with the regulations in this chapter;
- (b) All products, whether fresh, cured, or otherwise prepared, even though previously inspected and passed, shall be reinspected by Program employees as often as may be necessary in order to ascertain that they are not adulterated or misbranded at the time they enter or leave official establishments;
- (c) Reinspection may be accomplished through use of statistically sound sampling plans that assure a high level of confidence. The officer in charge shall designate the type of plan and the program employee shall select the specific plan to be used in accordance with instructions issued by the Commissioner;
- (d) A Ga. Retained Tag shall be placed by a Program employee at the time of reinspection at any official establishment on all products which are suspected on such reinspection of being adulterated or misbranded, and such products shall be held for further inspection. Such tags shall be removed only by authorized Program employees. When further inspection is made, if the product is found to be adulterated, all official inspection legends or other official marks for which the product is found to be eligible under the regulations in this chapter, shall be removed or defaced and the product shall be condemned and disposed of in accordance with this chapter, except that a determination regarding adulteration may be deferred if a product has become soiled or unclean by falling on the floor or in any other accidental way or if the product is affected with any other condition which the inspector deems capable of correction, in which case the product shall be cleaned (including trimming if necessary) or otherwise handled in a manner approved by the inspector to assure that it will not be adulterated and shall then be presented for reinspection and disposal in accordance with this section. If upon final inspection the product is found to be neither adulterated nor misbranded, the inspector shall remove the Georgia Retained tag. If a product is found upon reinspection to be misbranded, but not adulterated, it shall be held under a Georgia Retained tag, or a Georgia. Detention tag, as provided in 40-10-1-.24 of this chapter, pending correction of the misbranding or issuance of an order to withhold from use the labeling or container of the product, or the institution of a judicial seizure action. The inspector shall make a complete record of each transaction under this paragraph and shall report his action to the officer in charge.

- (3) Designation of places of receipt of products and other articles for reinspection. Every official establishment shall designate, with the approval of the officer in charge, a dock or place at which products and other articles subject to reinspection shall be received, and such products and articles shall be received only at such dock or place.
- (4) Preparation of products to be officially supervised; responsibilities of official establishments:
- (a) All processes used in curing, pickling, rendering, canning, or otherwise preparing any product in official establishments shall be supervised by Program employees. No fixtures or appliances, such as tables, trucks, trays, tanks, vats, machines, implements, cans, or containers of any kind, shall be used unless they are of such material and construction as will not contaminate or otherwise adulterate the product and are clean and sanitary. All steps in the process of manufacture shall be conducted carefully and with strict cleanliness in rooms or compartments separate from those used for inedible products;
 - (b) It shall be the responsibility of the operator of every official -establishment to comply with the Act and the regulations in this chapter. In order to effectively carry out this responsibility, the operator of the establishment shall institute appropriate control programs, approved by the Georgia Meat Inspection Division and commensurate with the type of activities conducted at the establishment and the preparation, marking, labeling, and packaging of its products strictly in accordance with the sanitary and other requirements of this chapter. When such control programs involve the maintenance of records, such records shall be made available for review by inspectors.
- (5) Requirements concerning procedures:
- (a) Frozen product.
 - 1. Care shall be taken to insure that product is not adulterated when placed in freezers. If there is doubt as to the soundness of any frozen product, the inspector will require the defrosting and reinspection of a sufficient quantity thereof to determine its actual condition.
 - 2. Frozen product may be defrosted in water or pickle in a manner and with the use of facilities which are acceptable to the inspector. 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 Commissioner 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 be first freely sectioned and then thoroughly soaked and washed. All detached kidneys, including beef kidneys with detached kidney fat, shall be inspected before being used in or shipped from the establishment;
 - (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 carcass;
 - (g) Clotted blood shall be removed from hog hearts before they are shipped from the establishment or used in the preparation of meat food products;
 - (h) Beef rounds, beef bungs, beef middles, beef bladders, calf rounds, hog bungs, hog middles, and hog stomachs which are to be used as containers of any meat food product shall be presented for inspection turned with the fat surface exposed;
 - (i) Portions of casings which show infection with *Oseophagostomum* or other noduleproducing, parasite, and weasands infected with the larvae of *Hypoderma lineatum*, shall be rejected, except that when the infestation is slight and the nodules and larvae are removed, the casing or weasand may be passed.
- (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. Official establishments shall furnish inspectors accurate information on all processing procedures, including product composition and any changes in such procedures essential for the inspectional control of the product;
 - (b) Casings.
 1. The only animal casings that may be used as containers of product are those from cattle, sheep, swine or goats.
 2. Casings for product shall be carefully inspected by Program employees. 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 and the treatment shall be followed by washing and flushing the casings with water sufficiently to effectively remove the substance used and to terminate the enzymatic action.
4. On account of the invariable presence of bone splinters, detached spinal cords may not be used in the preparation of edible product other than by rendering where they constitute a suitable raw material.
5. Testicles if handled as an edible product may be shipped from the establishment as such, but they may 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 may be used as an ingredient of a meat food product for which a standard is prescribed in .21 of this subchapter, if permitted by such standard, and may be used in any meat food product for this no such standard is prescribed in .21 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 .21 of this subchapter and shall not be used in other products unless the products are labeled in accordance with .19(8)(b)30. of this subchapter.
9. Poultry products and egg products (other than shell eggs) which are intended for use as ingredients of meat food products shall be considered acceptable for use only when identified as having been inspected and passed for wholesomeness by the Department when found to be sound and otherwise acceptable when presented for use. Poultry products and egg products (other than shell eggs) which have not been so inspected and passed for wholesomeness shall not be used in the preparation of such meat food products.

10. Dry milk products which are intended for use as ingredients of meat food products shall be considered acceptable for such use only when produced in a plant approved by the Department and when found to be sound and otherwise acceptable for use. Dry milk products prepared in a plant not so approved shall not be used in the preparation of such meat food products.
11. All isolated soy protein used in products processed in any official establishment shall contain not more than and not less than 0.1 percent titanium incorporated as food grade titanium dioxide, and the presence of such substance must be shown on the label of the container of the isolated soy protein at all times that the article is in the official establishment.
12. Ingredients for use in any product may not bear or contain any pesticide chemical or other residues in excess of levels permitted in 40-10-1-.20 (16).

(7) Approval of substances for use in the preparation of products:

- (a) No product shall contain any substance which would render it adulterated or which is not approved by the Commissioner;
- (b) Under appropriate declaration as required in 40-10-1-.18 and 40-10-1-.19 of this chapter, the following substances may be added to product:
 1. Common salt, approved sugars (sucrose (cane or beet sugar), maple sugar, dextrose, invert sugar, honey, corn syrup solids, corn syrup, and glucose syrup), wood smoke, vinegar, flavorings, spices, sodium nitrate, sodium nitrite, potassium nitrate, potassium nitrite, and other substances specified in the chart in subparagraph 4. of this paragraph may be added to products under conditions, if any, specified in this part or part 40-10-1-.19 of this chapter.
 2. Other harmless synthetic flavorings may be added to products with the approval of the Commissioner in specific cases.
 3. Coloring matter and dyes other than those specified in the chart in subparagraph 4. Of this paragraph, may be applied to products, mixed with rendered fat, applied to natural and artificial casings, and applied to such casings enclosing products, if approved by the Commissioner in specific cases. When any coloring matter or dye is applied to casings, there shall be no penetration of coloring into the product. When any coloring matter is added to meat fat shortening containing synthetic flavoring, the product shall be packed in conventional round shortening containers having a capacity no greater than 3 pounds.

4. The substances specified in Code of Federal Regulations, 9 CFR, Chapter 3, Part 424.21(c) are acceptable for use in the processing of products, provided they are used for the purposes indicated, within the limits of the amounts stated and under other conditions specified in this part and 40-10-1-.18 of this chapter.
- (c) Requirements for the use of nitrite and sodium ascorbate or sodium erythorbate (isoascorbate) in bacon.
1. With respect to bacon: Sodium nitrite shall be used at 120 parts per million (ppm) ingoing or an equivalent amount of potassium nitrite shall be used (148 ppm ingoing); and 550 ppm of sodium ascorbate or sodium erythorbate (isoascorbate) shall be used. Sodium ascorbate or sodium erythorbate have a molecular weight of approximately 198. Hydrated forms of these substances shall be adjusted to attain the equivalent of 550 ppm of sodium ascorbate or sodium erythorbate.
 2. The Department shall collect samples of bacon from producing plants and analyze them for the level of nitrosamines by the thermal energy analyzer (TEA). In the event that a TEA analysis indicates that a confirmable level of nitrosamines might be present, additional samples shall be collected and analyzed by gas chromatography. Presumptive positive results must be confirmed by mass spectrometry before being considered positive. If, during the interval required for the Department to analyze the confirmatory samples by gas chromatography and mass spectrometry, changes are made in processing procedures which are expected to result in no confirmable levels of nitrosamines in bacon produced by these new procedures, an establishment may submit samples to USDA for analysis upon prior notification and arrangements with USDA. If, however, an establishment furnishes USDA with laboratory results from testing five consecutive lots of bacon produced under the new procedures and the testing is performed by the USDA methodology and procedures, those results will be utilized in making the determination concerning the product produced under the new procedures. Should the results of these tests reveal that confirmable levels of nitrosamine are not indicated in any of the five consecutive lots, the confirmation analysis by USDA shall be terminated and the establishment shall revert to normal monitoring status. In the event the test results continue to indicate nitrosamines, however, USDA shall proceed in its confirmation analysis on the original samples taken for confirmation. If any one of the original samples collected by USDA for confirmation is found to contain confirmable levels of nitrosamines, all bacon in the producing establishment and all future production will be retained. The Department shall sample and analyze such retained bacon for nitrosamines on a lot by lot basis. A production lot shall be that bacon produced by the establishment in any

single shift. Samples from any lot of bacon under retention found to contain nitrosamines at a confirmable level shall cause the lot of bacon to be disposed of in a manner to assure it will not form nitrosamines when cooked. Such disposal may include incorporation of the uncooked bacon as an ingredient of another meat food product provided it is processed for eating without further preparation in a manner to preclude the formation of nitrosamines. Bacon subsequently produced shall not be retained because of nitrosamines if the operator of the establishment makes adjustments in the processing of the product and laboratory results obtained by TEA analysis of samples from five consecutive normal sized lots of bacon indicates that the product being produced contains no confirmable levels of nitrosamines. These tests from five consecutive normal sized lots of bacon shall be conducted by the Department: Provided, however, that if the establishment furnishes the Department with the results of tests conducted under the methodology and procedures used by the Department, such test results will be utilized in making the determination concerning the nitrosamine content of the product. All tests of bacon for nitrosamines under this subparagraph shall be made on bacon cooked 340 degrees Fahrenheit for 3 minutes on each side. In order to determine that no confirmable levels of nitrosamines are present in the sample tested, the testing must be performed by methodology and procedures that would detect the presence of any nitrosamines at 10 ppb.

- (d) No substance may be used in or on any product if it conceals damage or inferiority or makes the product appear to be better or of greater value than it is. Therefore:
1. Paprika or oleoresin paprika may not be used in or on fresh meat, such as steaks, or comminuted fresh meat food product, such as chopped and formed steaks or patties; or in any other meat food products consisting of fresh meat (with or without seasoning), except chorizo sausage and except other meat food products in which paprika or oleoresin paprika is permitted as an ingredient in a standard of identity or composition in Part .21 of this subchapter.
 2. Sorbic acid, calcium sorbate, sodium sorbate, and other salts of sorbic acid may not be used in cooked sausage or any other product; sulfurous acid and salts or sulfurous acid may not be used in or on any product and niacin or nicotinamide may not be used in or on fresh product; except that potassium sorbate, propylparaben (propyl phydroxybenzoate), and calcium propionate may be used in or on any product only as provided in Code of Federal Regulations, 9 CFR, Chapter 3, Part 424.21(c) or as approved by the Commissioner in specific cases.

- (8) Preservatives and other substances permitted in product for export only; handling; such product not to be used for domestic food purposes.
- (a) Preservatives and other substances not permitted in domestic product under the regulations in this subchapter in this chapter may be used in the preparation and packing of product intended for export provided the product (1) accords to the specifications or directions of the foreign purchaser; (2) is not in conflict with the laws of the country to which it is intended for export; and (3) is labeled on the outside container to show that it is intended for export, and is otherwise labeled as required by this subchapter for such export product.
 - (b) The preparation and packing of export product as provided for in paragraph (a) of this section shall be done in a manner acceptable to the inspector in charge so that the identity of the export product is maintained conclusively and the preparation of domestic product is adequately protected. The preservatives and other substances not permitted in domestic product shall be stored in a room or compartment separate from areas used to store other supplies and shall be held under program lock. Use of the preservatives or other substances shall be under the direct supervision of a Program employee.
 - (c) The packing of all articles under paragraph (a) of this section shall be conducted under the direct supervision of a Program employee.
 - (d) No article prepared or packed for export under paragraph (a) of this section shall be sold or offered for sale for domestic use or consumption, unless exported shall be destroyed for food purposes under the direct supervision of a Program employee.
 - (e) The contents of the container of any article prepared or packed for export under paragraph (a) of this section shall not be removed, in whole or in part, from such container prior to exportation, except under the supervision of a Program employee. If such contents are moved prior to exportation, then the article shall be either repacked, in accordance with the provision of paragraphs (b) and (c) of this section, or destroyed for food purposes under the direct supervision of a Program employee.
 - (f) Permission must be obtained from the Commissioner before meat packed in borax are shipped from one official establishment to another or to an unofficial establishment for storage, except such meat prepared for the account of Federal agencies.
 - (g) At all times, the identity of meat to which borax has been added shall be effectively maintained. In no case shall such meat, nor any trimmings or fat derived from such meat, whether unwashed or washed, or otherwise treated, be diverted to domestic use.

- (h) Salt used for bulking meat previously packed in borax may not again be used in an edible products department other than in connection with the packing of meat in borax. Only metal equipment shall be used for handling such meat. Particularly effective cleansing will be required if wooden equipment such as trucks, washing vats, etc., is used. Boxes from which boraxed meat has been removed may be used for repacking meat in borax, but their use as containers for other meat will be dependent upon the effective removal of all traces of borax.
 - (i) The following instructions pertain to export cured pork packed in borax for the account of Federal agencies. The meat may be packed in borax in a room in which there is borax-free meat, provided proper care is taken to see that the borax-free meat is not affected by the borax. Under the same condition, meat packed in borax may be received unpacked, defrosted, soaked, washed, smoked, and repacked in a room where there is other meat. However, meat originally packed in borax shall at all times be subject to the restrictions of meat so packed, even though repacked without borax. After packing or repacking, borax packed meat may be stored in a room with meat not packed in borax, provided a reasonable degree of separation is maintained between the two classes of product.
- (9) Samples of products, water, dyes, chemicals, etc., to be taken for examination. Samples of products, water, dyes, chemicals, preservatives, spices, or other articles in any official establishment shall be taken, without cost to the Program, for examination, as often as may be necessary for the efficient conduct of the inspection.
- (10) ~~Reserved. Prescribed treatment of pork and products containing pork to destroy trichinae:~~
- ~~(a) Reserved.~~
 - ~~(b) Reserved.~~
 - ~~(c) The treatment shall consist of heating, refrigerating, or curing, as follows:~~
 - ~~1. Heating:~~
 - ~~(i) All parts of the pork muscle tissue shall be heated to a temperature not lower than 137 degrees Fahrenheit, and the method used shall be one known to insure such a result. On account of differences in methods of heating and in weights of products undergoing treatment it is impracticable to specify details of procedure for all cases;~~
 - ~~(ii) Procedures which insure the proper heating of all parts of the product shall be adopted. It is important that each piece of sausage, each ham, and other product treated by heating in water be kept entirely submerged throughout the heating period; and that the largest pieces in a lot, the innermost links of bunched sausage or~~

other massed articles, and pieces placed in the coolest part of a heating cabinet or compartment or vat be included in the temperature tests.

2. Refrigerating: At any state of preparation and after preparatory chilling to a temperature of not above 40 degrees Fahrenheit or preparatory freezing, all parts of the muscle tissue or pork or product containing such tissue shall be subjected to a continuous temperature not higher than one of those specified in Table I, the duration of such refrigeration at the specified temperature being dependent on the thickness of the meat or inside dimensions of the container.

Table I—Required Period of Freezing At Temperature Indicated

Temperature	Group I	Group II
Degrees Fahrenheit	Days	Days
5	20	30
-10	10	20
-20	6	12

- (i) Group I comprises product in separate pieces not exceeding 6 inches in thickness, or arranged on separate racks with the layers not exceeding 6 inches in depth, or stored in crates or boxes not exceeding 6 inches in depth, or stored as solidly frozen blocks not exceeding 6 inches in thickness.
- (ii) Group II comprises product in pieces, layers, or within containers, the thickness of which exceeds 6 inches, but not 27 inches, and product in containers including tierces, barrels, kegs, and cartons, having a thickness not exceeding 27 inches.
- (iii) The product undergoing such treatment or the containers thereof shall be so spaced while in the freezer as will insure a free circulation of air between the pieces of meat, layers, blocks, boxes, barrels, and tierces in order that the temperature of the meat throughout will be promptly reduced to not higher than 5 degrees Fahrenheit, 10 degrees Fahrenheit, or 20 degrees Fahrenheit, as the case may be.
- (iv) In lieu of the methods prescribed in Table I, the treatment may consist of refrigeration to a temperature of 30 degrees Fahrenheit in the center of the pieces of meat or commercial freeze drying.

- (v) During the period of refrigeration the product shall be kept separate from other products and in the custody of the Program. Rooms or compartments equipped for being made secure with the Program lock or seal shall be provided. The rooms or compartments containing products undergoing freezing shall be equipped with accurate thermometers placed at or above the highest level at which the product undergoing treatment is stored and away from refrigerating coils. After completion of the prescribed treatment of pork to be used in the preparation of product covered by paragraph (b) of this section, the pork shall be kept closely under supervision by an inspector until it is prepared in finished form as one of the products enumerated in paragraph (b) of this section, or until it is transferred under Program control to another official establishment for preparation in such finished form.
- (vi) Pork which has been refrigerated as specified in this paragraph may be transferred in sealed railroad cars, sealed motor trucks, sealed containers, sealed trailers, to another official establishment at the same time or another station, for use in the preparation of product covered by paragraph (b) of this section. The sealing of closed containers, such as boxes and slack barrels, shall be effected by cording and affixing thereto Program seals, and such containers as tierces and kegs shall be held in Program custody by sealing with wax impressed with a Program metal brand. Railroad cars, motor trucks, and trailers, shall, when necessary, be sealed with Program car seals. Properly sealed and marked closed containers may be shipped with other meat in unsealed railroad cars, motor trucks, and trailers. Shipping containers such as boxes, barrels, and tierces, containing pork refrigerated in accordance with 40-10-1-19 (10) shall be plainly and conspicuously marked with a label or stencil furnished by the establishment as follows: "Pork product _____ Degrees F _____ days' refrigeration," indicating the temperature at which the product was refrigerated and the length of time so treated. For each consignment there shall be promptly issued and forwarded by the inspector to the officer in charge at destination a report on the form entitled "Notice of Unmarked Meats Shipped in Sealed Cars," appropriately modified to show the character of the containers, and that the contents are "Pork product _____ degrees F _____ days' refrigeration." A duplicate copy shall be retained in the station file.

3. Curing:

- (i) Sausage. The sausage may be stuffed in animal casings, or cloth bags. During any stage of treating the sausage for the destruction of live trichinae, except as provided in Method 5, these coverings shall not be coated with paraffin or like substance, nor shall any sausage be washed during any prescribed period of drying. In the preparation of sausage, one of the following methods may be used:

~~Method 1: The meat shall be ground or chopped into pieces not exceeding 3/4 of an inch in diameter. A dry-curing mixture containing not less than 3 1/3 pounds of salt to each hundredweight of the unstuffed sausage shall be thoroughly mixed with the ground or chopped meat. After being stuffed, sausage having a diameter not exceeding 3 1/2 inches, measured at time of stuffing, shall be held in a drying room not less than 20 days at a temperature not lower than 45 degrees Fahrenheit, except that in sausage of the variety known as pepperoni, if in casings not less than 1 3/8 inches in diameter at time of stuffing, the period of drying may be reduced to 15 days. In no case, however, shall the sausage be released from the drying room less than 25 days from the time materials are added. Sausage in casings exceeding 3 1/2 inches, but not exceeding 4 inches, in diameter at time of stuffing, shall be held in a drying room not less than 35 days at a temperature not lower than 45 degrees Fahrenheit, and in no case shall the sausage be released from the drying room in less than 40 days from the time the curing materials are added to the meat.~~

~~Method 2: The meat shall be ground or chopped into pieces not exceeding 3/4 of an inch in diameter. A dry-curing mixture containing not less than 3 1/3 pounds of salt to each hundredweight of the unstuffed sausage shall be thoroughly mixed with the ground or chopped meat. After being stuffed, the sausage having a diameter not exceeding 3 1/2 inches, measured at the time of stuffing, shall be smoked not less than 40 hours at a temperature not lower than 80 degrees Fahrenheit, and finally held in a drying room not less than 10 days at a temperature not lower than 45 degrees Fahrenheit. In no case, however, shall the sausage be released from the drying room in less than 18 days from the time the curing materials are added to the meat. Sausage exceeding 3 1/2 inches, but not exceeding 4 inches, in diameter at the time of stuffing, shall be held in a drying room, following smoking as above indicated, not less than 25 days at a temperature not lower than 45 degrees Fahrenheit, and in no case shall~~

the sausage be released from the drying room in less than 33 days from the time the curing materials are added to the meat.

Method 3: The meat shall be ground or chopped into pieces not exceeding $\frac{3}{4}$ of an inch in diameter. A dry curing mixture containing not less than $3\frac{1}{3}$ pounds of salt to each hundred weight of the unstuffed sausage shall be thoroughly mixed with the ground or chopped meat. After adding the mixture with the salt and other curing materials and before stuffing, the ground or chopped meat shall be held at a temperature not lower than 34 degrees Fahrenheit for not less than 36 hours. After being stuffed the sausage shall be held at a temperature not lower than 34 degrees Fahrenheit for an additional period of time sufficient to make a total of not less than 144 hours from the time the curing materials are added to the meat, or the sausage shall be held for the time specified in a pickle curing medium of not less than 50 strength (salometer reading) at a temperature not lower than 44 degrees Fahrenheit. Finally, the sausage having a diameter not exceeding $3\frac{1}{2}$ inches, measured at the time of stuffing, shall be smoked for not less than 12 hours. The temperature of the smokehouse during this period at no time shall be lower than 90 degrees Fahrenheit; and for 4 consecutive hours of this period the smokehouse shall be maintained at a temperature not lower than 128 degrees Fahrenheit. Sausage exceeding $3\frac{1}{2}$ inches, but not exceeding 4 inches, in diameter at the time of stuffing shall be smoked, following the prescribed curing, for not less than 15 hours. The temperature of the smokehouse during the 15-hour period shall at no time be lower than 90 degrees Fahrenheit, and for 7 consecutive hours of this period the smokehouse shall be maintained at a temperature not lower than 128 degrees Fahrenheit. In regulating the temperature of the smokehouse for the treatment of sausage under this method, the temperature of 128 degrees Fahrenheit shall be attained gradually during a period of not less than 4 hours.

Method 4: The meat shall be ground or chopped into pieces not exceeding $\frac{1}{4}$ inch in diameter. A dry curing mixture containing not less than $2\frac{1}{2}$ pounds of salt to each hundredweight of the unstuffed sausage shall be thoroughly mixed with the ground or chopped meat. After admixture with the salt and other curing materials and before stuffing, the ground or chopped sausage shall be held as a compact mass, not more than 6 inches in depth, at a temperature not lower than 36 degrees Fahrenheit for not less than 10 days. At the termination of the holding period, the sausage shall be stuffed in casings or cloth bags not exceeding $3\frac{1}{2}$ inches in diameter, measured at the time of

stuffing. After being stuffed, the sausage shall be held in a drying room at a temperature not lower than 45 degrees Fahrenheit for the remainder of a 35-day period, measured from the time the curing materials are added to the meat. At any time after stuffing, if the establishment operator deems it desirable, the product may be heated in a water bath for a period not to exceed 3 hours at a temperature not lower than 85 degrees Fahrenheit, or subjected to smoking at a temperature not lower than 80 degrees Fahrenheit, or the product may be both heated and smoked as specified. The time consumed in heating and smoking, however, shall be in addition to the 35-day holding period specified.

Method 5: The meat shall be ground or chopped into pieces not exceeding $\frac{3}{4}$ of an inch in diameter. A dry-curing mixture containing not less than $3\frac{1}{3}$ pounds of salt to each hundred weight of the unstuffed sausage shall be thoroughly mixed with the ground or chopped meat. After being stuffed the sausage shall be held for not less than 65 days at a temperature not lower than 45 degrees Fahrenheit. The coverings for sausage prepared according to this method may be coated at any stage of the preparation before or during the holding period with paraffin or other substance approved by the Commissioner.

- (ii) Capocollo (capicola, capicola). Boneless pork butts for capocollo shall be cured in a dry-curing mixture containing not less than $4\frac{1}{2}$ pounds of salt per hundredweight of meat for a period of not less than 25 days at a temperature not lower than 36 degrees Fahrenheit. If the curing materials are applied to the butts by the process known as churning, a small quantity of pickle may be added. During the curing period the butts may be overhauled according to any of the usual processes of overhauling, including the addition of pickle or dry salt, if desired. The butts shall not be subjected during or after curing to any treatment designed to remove salt from the meat, except that superficial washing may be allowed. After being stuffed, the product shall be smoked for a period of not less than 30 hours at a temperature not lower than 80 degrees Fahrenheit, and shall finally be held in a drying room not less than 20 days at a temperature not lower than 45 degrees Fahrenheit.
- (iii) Coppa. Boneless pork butts for coppa shall be cured in a dry-curing mixture containing not less than $4\frac{1}{2}$ pounds of salt per hundredweight of meat for a period of not less than 18 days at a temperature not lower than 36 degrees Fahrenheit. If the curing

mixture is applied to the butts by the process known as churning, a small quantity of pickle may be added. During the curing period the butts may be overhauled according to any one of the usual processes of overhauling, including the addition of pickle or dry salt if desired. The butts shall not be subjected during or after curing to any treatment designed to remove salt from the meat, except that superficial washing may be allowed. After being stuffed, the product shall be held in a drying room not less than 35 days at a temperature not less than 45 degrees Fahrenheit.

- (iv) ~~Hams and pork shoulder picnics. In the curing of hams and pork shoulder picnics, either of the following methods may be used:~~

~~Method 1: The products shall be cured by a dry salt curing process not less than 40 days at a temperature not lower than 36 degrees Fahrenheit. The hams shall be laid down in salt, not less than 4 pounds to each hundredweight of hams, the salt being applied to the lean meat of each ham in a thorough manner. When placed in cure the hams may be pumped with pickle if desired. At least once during the curing process the hams shall be overhauled and additional salt applied, if necessary, so that the lean meat of each ham is thoroughly covered. After removal from cure, the hams may be soaked in water at a temperature not higher than 70 degrees Fahrenheit for not more than 15 hours, during which time the water may be changed once; but they shall not be subjected to any other treatment designed to remove salt from the meat, except that superficial washing may be allowed. The hams should finally be dried or smoked not less than 10 days at a temperature not lower than 95 degrees Fahrenheit.~~

~~Method 2: The products shall be cured by a dry salt curing process at a temperature not lower than 36 degrees Fahrenheit for a period of not less than 3 days for each pound of weight (green) of the individual hams. The time of cure of each lot of hams placed in cure shall be calculated on a basis of the weight of the heaviest ham in the lot. Hams cured by this method, before they are placed in cure, shall be pumped with pickle solution of not less than 100% strength (salometer), about 4 ounces of the solution being injected into the shank and a like quantity along the flank side of the body bone (femur). The hams shall be laid down in salt, not less than 4 pounds of salt to each hundredweight of hams, the salt being applied in a thorough manner to the lean meat of each ham. At least once during the curing process the hams shall be overhauled and additional salt applied, if necessary, so that the lean meat of each ham is thoroughly~~

~~covered. After removal from cure the hams may be soaked in water at a temperature not higher than 70 degrees Fahrenheit in for not more than 4 hours, but shall not be subjected to any other treatment designed to remove salt from the meat, except that superficial washing may be allowed. The hams shall then be dried or smoked not less than 48 hours at a temperature not lower than 80 degrees Fahrenheit, and finally shall be held in a drying room not less than 20 days at a temperature not lower than 45 degrees Fahrenheit.~~

- (v) ~~Boneless pork loins and loin ends. In lieu of heating or refrigerating to destroy trichinae in boneless loins, the loins may be cured for a period of not less than 25 days at a temperature of not lower than 36 degrees Fahrenheit by the use of one of the following methods:~~

~~Method 1: Application of a dry salt curing mixture containing not less than 5 pounds of salt to each hundredweight of meats.~~

~~Method 2: Application of a pickle solution of not less than 80% strength (salometer) on the basis of not less than 60 pounds of pickle to each hundredweight of meat.~~

~~Method 3: Application of a pickle solution added to the dry salt cure prescribed in this division (v) provided the pickle solution is not less than 80% strength (salometer). After removal from cure, the loins may be soaked in water at a temperature not higher than 70 degrees Fahrenheit or washed under a spray, but shall not be subjected, during or after the curing process, to any other treatment designed to remove salt. Following curing, the loins shall be smoked for not less than 12 hours. The minimum temperature of the smokehouse during this period at no time shall be lower than 100 degrees Fahrenheit, and for 4 consecutive hours of this period the smokehouse shall be maintained at a temperature of not lower than 125 degrees Fahrenheit. Finally, the product shall be held in a drying room for a period of not less than 12 days at a temperature not lower than 45 degrees Fahrenheit.~~

- (d) ~~General instructions: When necessary to comply with the requirements of this section, the smokehouses, drying rooms, and other compartments used in the treatment of pork to destroy trichinae shall be suitably equipped, by the establishment, with accurate automatic recording thermometers. Officers in charge are authorized to approve for use in sausage smokehouses, drying rooms, and other compartments, such automatic recording thermometers as are found to give satisfactory service and to disapprove and require discontinuance of use, for~~

~~purposes of the regulations in this chapter any thermometers (including any automatic recording thermometers) of the establishment that are found to be inaccurate or unreliable.~~

(11) Canning with heat processing and hermetically sealed containers; cleaning containers; closure; code marking; heat processing; incubation:

- (a) Containers which are intended to be hermetically sealed shall be cleaned thoroughly immediately before filling, and precaution must be taken to avoid soiling the inner surfaces subsequently. However, cans in which lard is to be hermetically sealed may be examined immediately before filling and if found to be acceptably clean by a Program employee need not be washed;
- (b) Containers of metal, glass, or other material shall be washed in an inverted position with running water at a temperature of at least 180 degrees Fahrenheit. The containerwashing equipment shall be provided with a thermometer to register the temperature of the water used for cleaning the containers. In lieu of cleaning with hot water the use of efficient jet-vacuum type equipment for cleaning cans and jars is permitted before filling;
- (c) Nothing less than perfect closure is acceptable for hermetically sealed containers.

Heat processing shall follow promptly after closing;

- (d) Careful inspection shall be made of the containers by competent establishment employees immediately after closing and containers which are defectively closed or show inadequate vacuum shall not be processed until the defect has been corrected. The containers shall again be inspected by the establishment employees when they have cooled sufficiently for handling after processing by heating. The contents of defective containers shall be condemned unless correction of the defect is accomplished within 6 hours following the sealing of containers or completion of the heat processing, as the case may be, except that if the defective condition is discovered during an afternoon run the cans of product may be held in coolers at a temperature not exceeding 38 degrees Fahrenheit under conditions that will promptly and effectively chill them until the defect has been corrected the following day, short vacuum or overstuffed cans of product which have not been handled in accordance with this paragraph may be incubated under Program supervision, after which the cans shall be opened and the sound product passed for food, and short vacuum or overstuffed cans of product of a class permitted to be labeled "Perishable, Keep Under Refrigeration" and which have been kept under adequate refrigeration since processing may be opened and the sound product passed for food;
- (e) Canned products shall not be passed unless after cooling to atmospheric temperature they show the external characteristics of sound cans; that is, the cans

shall not be overfilled; they shall have concave sides, excepting the seam side; there shall be no bulging, and all ends shall be concave; the sides and ends shall conform to the product; and there shall be no slack or loose tin;

- (f) All canned products shall be plainly and permanently marked on the containers by code or otherwise with the identity of the contents, and date of canning. The code used and its meaning shall be on record in the office of the officer in charge;
- (g) Canned product must be processed at such temperature and for such period of time as will assure keeping without refrigeration under usual conditions of storage and transportation when heating is relied on for preservation, with the exception of those canned products which are processed without steam pressure cooking by permission of the Commissioner in specific cases and labeled "Perishable, Keep Under Refrigeration;"
- (h) Lots of canned product shall be identified during their handling preparatory to heat processing by tagging the baskets, cages, or cans with a tag which will change color on going through the heat processing or by other effective means so as to positively preclude failure to heat process after closing.
- (i) Facilities shall be provided by the operator of the official establishment for incubation of representative samples of fully processed canned product. The incubation shall consist of holding the canned product for the periods of time and at the temperatures prescribed in subparagraph 4 of this paragraph.
 1. The extent to which incubation tests shall be required depends on conditions such as the record of the official establishment in conducting canning operations, the extent to which the establishment furnishes competent supervision and inspection in connection with the canning operations, the character of the equipment used, and the degree to which such equipment is maintained at maximum efficiency. Such factors shall be considered by the officer in charge in determining the extent of incubation testing at a particular establishment.
 2. In the event of failure by an official establishment to provide suitable facilities for incubation of test samples, the officer in charge may require holding of the entire lot under such conditions and for such period of time as may, in his discretion, be necessary to establish the stability of the product.
 3. The officer in charge may permit lots of canned product to be shipped from the official establishment prior to completion of sample incubation when he has no reason to suspect unsoundness in the particular lots, and under circumstances which will assure the return of the product to the establishment for reinspection should such action be indicated by the incubation results.

4. Incubation shall consist of holding the samples at 95 degrees Fahrenheit for no less than 10 days; except:
 - (i) Samples of firmly packed luncheon meat products, and products with high fat content such as chorizos packed in lard, and products weighing 3 pounds or more shall be held at 95 degrees Fahrenheit for not less than 20 days;
 - (ii) Samples of products composed of chunks or patties of meat in a medium or sauce wherein the pH of the meat component and the medium or sauce are significantly different shall be incubated at 95 degrees Fahrenheit for no less than 30 days.

(12) Preparation of dog food or similar uninspected article at official establishments:

- (a) When dog food, or similar uninspected article is prepared in an edible product department, there shall be sufficient space allotted and adequate equipment provided so that the preparation of the uninspected article in no way interferes with the handling or preparation of edible products. Where necessary to avoid adulteration of edible products, separate equipment shall be provided for the uninspected article. To assure the maintenance of sanitary conditions in the edible products departments, the operations incident to the preparation of the uninspected article will be subject to the same sanitary requirements that apply to all operations in edible product departments. The preparation of the uninspected article shall be limited to those hours during which the establishment generally operates under inspectional supervision; and there shall be no handling other than receiving at the official establishment, of any product ingredient of the uninspected article, other than during the regular hours of inspection. The materials used in the preparation of the uninspected article shall not be used so as to interfere with the inspection of edible product or the maintenance of sanitary conditions in the department or render any edible product adulterated. The meat, meat byproducts, and meat food product ingredients of the uninspected article may be admitted into any edible products department of an official establishment only if they are Georgia Inspected and Passed. Products within 40-10-1-.16 (11) of this chapter or parts of carcasses of kinds not permitted under the regulations in food (e.g., hog lungs or intestines), which are produced at any official establishment, may be brought into the inedible products department of any official establishment for use in uninspected articles under this section. The uninspected article may be stored in, and distributed from, edible product departments: Provided, that adequate facilities are furnished, there is no interference with the maintenance of sanitary conditions, and such article is properly identified;
- (b) When dog food or similar uninspected article is prepared in part of an official establishment other than an edible product department the area in which the dog

food is prepared shall be separated from edible product departments in the manner required for separation between edible product departments and inedible product departments. Sufficient space must be allotted and adequate equipment provided so that the preparation of the uninspected article does not interfere with the proper functioning of other operations at the establishment. Nothing in this paragraph shall be construed as permitting any deviation from the requirement that dead animals, condemned products, and similar materials of whatever origin, must be placed in the inedible product rendering equipment, and without undue delay. The preparation of the uninspected product must be such as not to interfere with the maintenance of general sanitary conditions on the premises, and it shall be subject to inspectional supervision similar to that exercised over other inedible product departments. Trucks, barrels, and other equipment shall be cleaned before being returned to edible product departments from inedible product departments. Unoffensive material prepared in outside edible product departments may be stored in, and distributed from, edible product departments only if packaged in clean, properly identified, sealed containers;

- (c) Animal food shall be distinguished from articles of human food, so as to avoid the distribution of such animal food as human food. To accomplish this, labeling of hermetically sealed, retort processed, conventional retail size containers, as for example, "dog food" will be considered sufficient. If not in such containers the product must not only be properly identified as animal food but it must be of such character or so denatured or decharacterized as to deter its use for human food. Animal food shall not be represented as being a human food.
- (13) Mixtures containing product but not amenable to the Act. Mixtures containing product but not classed as a meat food product under the Act shall not bear the inspection legend or any abbreviation or representation thereof. When such mixtures are prepared in any part of an official establishment, the sanitation of that part of the establishment shall be supervised by Program employees, and the preparation of such mixtures shall not cause any deviation from the requirement that no uninspected products shall be brought into the establishment.
- (14) Adulteration of products by flood water, etc.; procedure for handling:
- (a) Any product at any official establishment which has been adulterated by contamination with flood water, harbor water, or other polluted water, shall be condemned. This would not apply to a product in sound, hermetically sealed containers;
 - (b) After flood water has receded at an official establishment, the operator shall cause its employees to thoroughly cleanse all walls, ceilings, posts and floors of the rooms and compartments; involved, including the equipment therein, under the supervision of a Program employee. An adequate supply of hot water, under pressure, is essential for effective cleaning of the rooms and equipment. After

cleansing, a solution of sodium hypochlorite containing approximately one-half of one percent available chlorine (5000 parts per million), or other disinfectant approved by the Commissioner shall be applied to the surface of the rooms. Where the solution has been applied to equipment which will afterwards contact meat, the equipment shall be rinsed with clean water before being used. All metal should be rinsed with clean water to prevent corrosion;

- (c) Hermetically sealed containers of product which have been submerged or otherwise contaminated by flood water, harbor water, or other polluted water shall be rehandled promptly under supervision of a Program employee at official establishments as follows:
 - 1. Separate and condemn all product the containers of which show extensive rusting or corrosion, such as might materially weaken the container, as well as any swollen, leaky, or otherwise suspicious container.
 - 2. Remove paper labels and wash the container in warm soapy water, using a brush where necessary to remove rust or other foreign material, immerse in solution of sodium hypochlorite containing not less than 100 parts per million of available chlorine or other disinfectant approved for purposes of this chapter and rinse in clean fresh water and dry thoroughly. An alternative method of rehandling such products would be to immerse the containers in 212 degrees Fahrenheit water, bring temperature back to 212 degrees Fahrenheit and maintain for 5 minutes, then remove containers from the water and cool to 95 degrees Fahrenheit and dry thoroughly.
 - 3. After handling as described in subparagraph 2. of this paragraph, the containers may be relacquered, if necessary, and then relabeled with approved labels applicable to the product therein.
 - 4. The identity of the canned product shall be maintained throughout all stages of the rehandling operations, to insure correct labeling of all containers.
- (15) Tagging chemicals, preservatives, cereals, spices, etc., "Ga. Retained." When any chemical, preservative, cereal, spices, or other substance is intended for use in an official establishment, it shall be examined by a Program employee and if found to be unfit or otherwise unacceptable for use intended, or if final decision regarding acceptance is deferred pending laboratory or other examination, the employee shall attach a "Ga. Retained" tag to the substance or container thereof. The substance so tagged shall be kept separate from other substances as the officer in charge may require and shall not be used until the tag is removed, and such removal shall be made only by a Program employee after a finding that the substance can be accepted, or, in the case of an unacceptable substance, when it is removed from the establishment.
- (16) Pesticide chemicals and other residues in products:

- (a) Nonmeat ingredients. Residues of pesticide chemicals, food additives and color additives or other substances in or on ingredients (other than meat, meat byproducts and meat food products) used in the formulation of products shall not exceed the levels permitted under the Federal Food, Drug and Cosmetic Act, and such nonmeat ingredients must be in compliance with the requirements under that Act;
 - (b) Products, and meat, meat byproducts or meat food product ingredients. Products, and products used as ingredients of products, shall not bear or contain any pesticide chemical, food additive or color residue in excess of the level permitted under the Federal Food, Drug and Cosmetic Act and the regulations in this chapter, or any other substance that is prohibited by such regulations or that otherwise make the product adulterated;
 - (c) Standards and procedures. Instructions specifying the standards and procedures for determining when ingredients or finished products are in compliance with this section shall be issued to the inspectors by the Commissioner. Copies of such instructions will be made available to interested persons upon request made to the Commissioner.
- (17) Requirements for the production of cooked beef, and cooked corned beef.
- (a) Cooked beef and roast beef, including sectioned and formed roasts and chunked and formed roasts, and cooked corned beef shall be prepared by one of the time and temperature combinations in the following table. The stated temperature is the minimum which shall be produced and maintained in all parts of each piece of meat for at least the stated time:

Table for Time/Temperature Combination for Cooked Beef, Roast Beef, and Cooked Corned Beef

<i>Minimum Degrees Centigrade</i>	<i>Internal Fahrenheit</i>	<i>Temperature Degrees</i>	<i>Minimum Processing Time (minutes) after Degrees minimum temperature is reached</i>
130	54.4	121	
131	55.0	97	
132	55.6	77	
133	56.1	62	
134	56.7	47	
135	57.2	37	
136	57.8	32	
137	58.4	24	
138	58.9	19	

139	59.5	15
140	60.0	12
141	60.6	10
142	61.1	8
143	61.7	6
144	62.2	5
145	62.8	Instantly

- (b) Cooked beef, including sectioned and formed roasts and chunked and formed roasts, and cooked corned beef shall be moist cooked throughout the process or, in the case of roast beef or corned beef to be roasted, cooked as provided in paragraph (c) of this section. The moist cooking may be accomplished by (1) placing the meat in a sealed moisture impermeable bag, removing the excess air, and cooking, (2) completely immersing the meat, unbagged, in water throughout the entire cooking process, or (3) using a sealed oven or steam injection to raise the relative humidity above 90 percent throughout the cooking process.
- (c) Roast beef or corned beef to be roasted shall be cooked by one of the following methods:
1. Heating roasts of 10 pounds or more in an oven maintained at 250 degrees Fahrenheit (120 degrees Centigrade) or higher throughout the process;
 2. Heating roasts of any size to a minimum internal temperature of 145 degrees Fahrenheit (62.8 degrees Centigrade) in an oven maintained at any temperature if the relative humidity of the oven is maintained either by continuously introducing steam for 50 percent of the cooking time or by use of a sealed oven for over 50 percent of the cooking time, or if the relative humidity of the oven is maintained at 90 percent or above for at least 25 percent of the total cooking time, but in no case less than 1 hour;
or
 3. Heating roasts of any size in an oven maintained at any temperature that will satisfy the internal temperature and time requirements of paragraph (a) of this section if the relative humidity of the oven is maintained at 90 percent or above for at least 25 percent of the total cooking time, but in no case less than 1 hour. The relative humidity may be achieved by use of steam injection or by sealed ovens capable of producing and maintaining the required relative humidity.
- (d) Monitoring equipment.
1. Except as provided in paragraph (d)2 of this section, establishments producing cooked beef, roast beef, and cooked corned beef shall have

sufficient monitoring equipment, including recording devices, to assure that the time (within one minute), the temperature (within 11 degrees Fahrenheit) and relative humidity (within 5 percent) limits required by these processes are being met. Data from the recording devices shall be made available to a program employee upon request.

2. In lieu of recording devices, establishments may propose in the written procedures prescribed in paragraph (f) of this section, and alternative means of providing inspection personnel with evidence that finished product has been prepared in compliance with the humidity requirements of paragraphs (b) and (c) of this section, and the 145° F (62.80 degrees Centigrade) temperature requirement of paragraph (a) of this section.
- (e) Each package of finished product shall be plainly and permanently marked on the immediate container with the date of production either in code or with the calendar date.
- (f) In order to assure that cooked beef, roast beef, and cooked corned beef are handled, processed, and stored under sanitary conditions, the establishment shall submit a set of written procedures through the inspector in charge for approval by the Program Director.

The written procedures shall contain the following information:

1. The temperature to which raw frozen product is thawed and the time required.
2. The lot identification procedure for lots of product during processing.
3. The storage time and temperature combinations which the establishment intends to use before cooking, the cooking time and temperature the establishment intends to use, and the time, if any, the establishment intends to wait after cooking and before cooling.
4. If a code, instead of a calendar date, is used on the immediate container of the finished product, its meaning shall also be included.
5. Any other critical control points in the procedures which could affect the safety of the product.
6. In lieu of recording devices, the alternate means permitted by .20(17)(d)2 of providing evidence to inspection personnel that the finished product will be prepared in compliance with temperature or humidity requirements.

7. Any other alternate procedure used that is permitted in this section.
- (g) The establishment shall maintain records and reports which document the time, temperature, and humidity at which any cooked beef, roast beef, or cooked corned beef is cooked and cooled at the establishment. Such records shall be kept by the establishment for 6 months or for such further period as the Commissioner may require for purposes of any investigation or litigation under the Act, by written notice to the person required to keep such records. Such records shall be made available to the inspector and any duly authorized representative of the Secretary upon request.
- (h) The handling and processing of cooked beef, roast beef, and cooked corned beef before, during and after cooking shall be such as to prevent the finished product from being adulterated. As a minimum, they shall be controlled as follows:
1. The establishment shall notify the inspector in charge which processing procedure will be used on each lot, including time and temperature.
 2. In order to assure uniform heat penetration and consequent adequate cooking of each piece of beef, individual pieces of raw product in any one lot shall either not vary in weight by more than 2 pounds or not vary in thickness by more than 2 inches at the thickest part. Alternate methods of assuring uniform heat penetration may be submitted in writing for approval to the Regional Director.
 3. A water-based solution that is used for injecting or immersing the meat shall be refrigerated to 50 degrees Fahrenheit (10 degrees Centigrade) or lower from the time it contacts the meat, and shall be filtered each time it is recirculated or reused.
 4. A nonmeat ingredient, including the water-based solution in (h)3 above, which has contacted meat shall be discarded at the end of that day's production unless it is in continuous contact with one batch of product.
 5. Product prepared for cooking shall be entered into the cooking cycle within 2 hours of completion of precooking preparation or be placed immediately in a cooler at a temperature of 40 degrees Fahrenheit (4.4 degrees Centigrade) or lower.
 6. The time and temperature requirements shall be met before any product in the lot is removed from the cooking units. Unless otherwise specified in the written procedures approved in accordance with paragraph (f) of this section, the heat source shall not be shut off until these requirements are met.

7. Other than incidental contact caused by water currents during immersion cooking or cooling, product shall be placed so that it does not touch or overlap other products. This provision does not apply to product that is stirred or agitated to assure uniform heat transfer.
8. Temperature sensing devices shall be so placed that they monitor product in the coldest part of the cooking unit; and when oven temperature is required by paragraph (c) of this section, the oven temperature shall also be monitored in the coldest part of the cooking unit.
9. If a humidity sensing device is required in an oven, it shall be placed so that it measures humidity in either the oven chamber or at the exit vent.
10. Chilling shall begin within 90 minutes after the cooking cycle is completed.
 - (i) All product shall be chilled from 120 degrees Fahrenheit (48.80 degrees Centigrade) to 55 degrees Fahrenheit (12.70 degrees Centigrade) in no more than 6 hours.
 - (ii) Chilling shall continue and the product shall not be packed for shipment until it has reached 40 degrees Fahrenheit (4.4 degrees Centigrade).
11. Any establishment that has experienced a cooking process deviation during preparation of product may either reprocess the product completely, continue the heating to 145 degrees Fahrenheit (62.8 degrees Centigrade), or contact the Regional Director for a review of the process schedule for adequacy and, if needed, for a cooking schedule to finish that one batch of product.
12. An establishment that has experienced a cooking deviation after the product has been cooked shall contact the Regional Director to determine the disposition of that retained product.
 - (i) Cooked beef, roast beef, and cooked corned beef shall be so handled to assure that the product is not recontaminated by direct contact with raw product. To prevent direct contamination of the cooked product, establishments shall:
 1. Physically separated areas where raw product is handled from areas where exposed cooked product is handled, used a solid impervious floor to ceiling wall; or

2. Handle raw and exposed cooked product at different times, with a cleaning of the entire area after the raw material handling is completed and prior to the handling of cooked product in that area; or
 3. Submit a written procedure for approval through the inspector in charge to the District Supervisor detailing the steps to be taken which would avoid recontamination of cooked product by raw product during processing.
- (j) To prevent indirect contamination of cooked product:
1. Any work surface, machine, or tool which contacts raw product shall be thoroughly cleaned and sanitized with a solution germicidally equivalent to 50 ppm chlorine before it contacts cooked product;
 2. Employees shall wash their hands and sanitize them with a solution germicidally equivalent to 50 ppm chlorine whenever they enter the heat processed product area or before preparing to handle cooked product, and as frequently as necessary during operations to avoid product contamination; and
 3. Outer garments, including aprons, smocks, and gloves shall be especially identified as restricted for use in cooked product areas only, changed at least daily, and hung in a designated location when the employee leaves the area.
- (k) Cooked product shall not be stored in the same room as raw product unless it is first packaged in a sealed, water-tight container or is otherwise protected by a covering that has been approved, upon written request, by the District Supervisor.

Authority: O.C.G.A. Secs. 26-2-60, 26-2-80.