[Excerpt] http://law.house.gov/uscsrch.htm

-CITE-

21 USC Sec. 451 01/16/96

-EXPCITE-

TITLE 21 - FOOD AND DRUGS

CHAPTER 10 - POULTRY AND POULTRY PRODUCTS INSPECTION

-HEAD-

Sec. 451. Congressional statement of findings

-STATUTE-

Poultry and poultry products are an important source of the Nation's total supply of food. They are consumed throughout the Nation and the major portion thereof moves in interstate or foreign commerce. It is essential in the public interest that the health and welfare of consumers be protected by assuring that poultry products distributed to them are wholesome, not adulterated, and properly marked, labeled, and packaged. Unwholesome, adulterated, or misbranded poultry products impair the effective regulation of poultry products in interstate or foreign commerce, are injurious to the public welfare, destroy markets for wholesome, not adulterated, and properly labeled and packaged poultry products, and result in sundry losses to poultry producers and processors of poultry and poultry products, as well as injury to consumers. It is hereby found that all articles and poultry which are regulated under this chapter are either in interstate or foreign commerce or substantially affect such commerce, and that regulation by the Secretary of Agriculture and cooperation by the States and other

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

-SOURCE-

(Pub. L. 85-172, Sec. 2, Aug. 28, 1957, 71 Stat. 441; Pub. L. 90-492, Sec. 2, Aug. 18, 1968, 82 Stat. 791.)

-MISC1-

AMENDMENTS

1968 - Pub. L. 90-492 inserted provisions stating it to be necessary that the health and welfare of consumers be protected by assuring that poultry products distributed to them are wholesome, not adulterated, and properly marked, labeled, and packaged, provisions that misbranded poultry products impair the effective regulation of poultry products and destroy markets for wholesome, not adulterated, and properly labeled and packaged poultry products, and result in sundry losses to poultry producers and processors of poultry and poultry products, as well as injury to consumers, and provisions that all articles and poultry which are regulated by this chapter are either in interstate or foreign commerce or substantially affect such commerce and that regulation by the Secretary of Agriculture and cooperation by the states and other jurisdictions as contemplated by this chapter are appropriate to serve the specified aims, and struck out provisions that all poultry and poultry products which have or are required to have inspection under this chapter are either in the current of interstate or foreign commerce or directly affect such commerce, provisions that that part entering directly into the current of

interstate or foreign commerce cannot be effectively inspected and regulated without also inspecting and regulating all poultry and poultry products in the same establishment, and provisions authorizing the Secretary to designate major consuming areas.

EFFECTIVE DATE OF 1968 AMENDMENT

Section 20 of Pub. L. 90-492 provided that: "This Act (see Short Title of 1968 Amendment note below) shall become effective upon enactment (Aug. 18, 1968) except as provided in paragraphs (a) through (c):

"(a) The provisions of subparagraphs (a)(2)(A) and (a)(3) of section 9 of the Poultry Products Inspection Act, as amended by section 9 of this Act (section 458(a)(2)(A) and (a)(3) of this title), shall become effective upon the expiration of sixty days after enactment hereof (Aug. 18, 1968).

"(b) Section 14 of this Act, amending section 15 of the Poultry Products Inspection Act (section 464 of this title), shall become effective upon the expiration of sixty days after enactment hereof (Aug. 18, 1968).

"(c) Paragraph 11(d) of the Poultry Products Inspection Act, as added by section 11 of this Act (section 460(d) of this title), shall become effective upon the expiration of sixty days after enactment hereof (Aug. 18, 1968)."

EFFECTIVE DATE

Section 29, formerly section 22, of Pub. L. 85-172, as renumbered by Pub. L. 90-492, Sec. 17, Aug. 18, 1968, 82 Stat. 805, provided that: "This Act (this chapter) shall take effect upon enactment (Aug. 28, 1957), except that no person shall be subject to the provisions of this Act (this chapter) prior to January 1, 1959,

unless such person after January 1, 1958, applies for and receives inspection for poultry or poultry products in accordance with the provisions of this Act (this chapter) and pursuant to regulations promulgated by the Secretary hereunder, in any establishment processing poultry or poultry products in commerce or in a designated major consuming area. Any person who voluntarily applies for and receives such inspection after January 1, 1958, shall be subject, on and after the date he commences to receive such inspection, to all of the provisions and penalties provided for in this Act (this chapter) with respect to all poultry or poultry products handled in the establishment for which such said application for inspection is made."

SHORT TITLE OF 1968 AMENDMENT

Section 1 of Pub. L. 90-492 provided: "That this Act (enacting sections 467a to 467f and 470 of this title, amending this section and sections 452 to 461, 463 to 465, and 467 of this title, and enacting provisions set out as notes under this section) may be cited as the 'Wholesome Poultry Products Act'."

SHORT TITLE

Section 1 of Pub. L. 85-172 provided: "That this Act (enacting this chapter and provisions set out as notes under this section) may be cited as the 'Poultry Products Inspection Act'."

SEPARABILITY

Section 19 of Pub. L. 90-492 provided that: "If any provisions of this Act or of the amendments made hereby (see Short Title of 1968 Amendment note above) or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and the remaining amendments and of the application of such

provision to other persons and circumstances shall not be affected thereby."

Section 28, formerly section 21, of Pub. L. 85-172, as renumbered by Pub. L. 90-492, Sec. 17, Aug. 18, 1968, 82 Stat. 805, provided that: "If any provision of this Act (this chapter) or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby."

FOOD ADDITIVES AMENDMENT OF 1958

Pub. L. 85-929, Sec. 7, Sept. 6, 1958, 72 Stat. 1789, provided that: "Nothing in this Act (amending sections 321, 331, 342, 346, and 348 of this title and section 210 of Title 42, The Public Health and Welfare, and enacting provisions set out as notes under sections 321 and 342 of this title) shall be construed to exempt any meat or meat food product or any person from any requirement imposed by or pursuant to the Poultry Products Inspection Act (21 U.S.C. 451 and the following) (this chapter) or the Meat Inspection Act of March 4, 1907, 34 Stat. 1260, as amended and extended (21 U.S.C. 71 and the following) (see section 601 et seq. of this title)."

-SECREF-

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 321, 454 of this title.

ACT REFERRED TO IN OTHER SECTIONS

The Wholesome Poultry Products Act is referred to in section 1053 of this title.