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TITLE 9--ANIMALS AND ANIMAL PRODUCTS

CHAPTER III--FOOD SAFETY AND INSPECTION SERVICE, MEAT AND POULTRY INSPECTION, DEPARTMENT OF AGRICULTURE

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Authority: 7 U.S.C. 450, 1901-1906; 21 U.S.C. 601-695; 7 CFR 2.17, 2.55.

Source: 35 FR 15597, Oct. 3, 1970, unless otherwise noted.

Subpart A--General

Sec. 319.1 Labeling and preparation of standardized products.

Labels for products for which standards of identity or composition are prescribed in this part shall show the appropriate product name, an ingredient statement, and other label information in accordance with the special provisions, if any, in this part, and otherwise in accordance with the general labeling provisions in part 317 of this subchapter, and such products shall be prepared in accordance with the special provisions, if any, in this part and otherwise in accordance with the general provisions in this subchapter. Any product for which there is a common or usual name must consist of ingredients and be prepared by the use of procedures common or usual to such products insofar as specific ingredients or

procedures are not prescribed or prohibited by the provisions of this subchapter.

Sec. 319.2 Products and nitrates and nitrites.

Any product, such as frankfurters and corned beef, for which there is a standard in this part and to which nitrate or nitrite is permitted or required to be added, may be prepared without nitrate or nitrite and labeled with such standard name when immediately preceded with the term ``Uncured'' in the same size and style of lettering as the rest of such standard name: Provided, That the product is found by the Administrator to be similar in size, flavor, consistency, and general appearance to such product as commonly prepared with nitrate and nitrite: And provided further, That labeling for such product complies with the provisions of Sec. 317.17(c) of this subchapter.

[44 FR 48961, Aug. 21, 1979]

Sec. 319.5 Mechanically Separated (Species).

(a) Mechanically Separated (Species) is any finely comminuted product resulting from the mechanical separation and removal of most of the bone from attached skeletal muscle of livestock carcasses and parts of carcasses and meeting the other provisions of this paragraph. Examples of such product are ``Mechanically Separated Beef'', ``Mechanically Separated Veal'', ``Mechanically Separated Pork'', and ``Mechanically Separated Lamb''. At least 98 percent of the bone particles present in such product shall have a maximum size no greater than 0.5 millimeter in their greatest dimension and there shall be no bone particles larger than 0.85 millimeter in their greatest dimension. The product resulting from the separating process shall not have a calcium content exceeding 0.75 percent, as a measure of a bone solids content of not more than 3 percent, and shall have a minimum PER of 2.5 (except as modified in paragraph (e)(1) of this section). Such product also shall have a protein content of not less than 14 percent and a fat content of not more than 30 percent, or it shall be deemed to be product for processing. Such product failing to meet the bone particle size, calcium, or PER requirements of this paragraph shall only be used in producing animal fats. Where such product meets the bone particle size, calcium, and PER requirements of this paragraph, it may also be used in the formulation of meat food products in accordance with Sec. 319.6.

(b)-(d) [Reserved]

(e)(1) An essential amino acid content of at least 33 percent of the total amino acids presents in ``Mechanically Separated (Species)'' shall be accepted as evidence of compliance with the protein quality requirement set forth in paragraph (a) of this section. For purposes of this paragraph, essential amino acid content includes isoleucine, leucine, lysine, methionine, phenylalanine, threonine, and valine content, and the total amino acids present include isoleucine, leucine, lysine, methionine, phenylalanine, threonine, valine, tyrosine, arginine, histidine, alanine, aspartic acid, glutamic acid, glycine, proline, serine, and hydroxyproline content.

(2) A prerequisite for label approval for products consisting of or containing ``Mechanically Separated (Species)'' is that such ``Mechanically Separated (Species)'' shall have been produced by an establishment under an approved plant quality control system. The

Administrator shall receive, evaluate, and approve requests for plant quality control in accordance with Sec. 318.4(d)(1) and (2) and (e) of this subchapter. Such a plant quality control system shall provide the controls and information necessary to assure that the product will meet the requirements described in Sec. 319.5(a) and to enable establishment personnel and program employees to monitor the system for effectiveness. The system shall include a written description of the methods used by the establishment to maintain uniformity of the raw ingredients used in manufacturing product, to control the handling and processing of the raw ingredients and the finished product, and shall contain provisions for chemical analyses of the product and other procedures to determine and assure compliance with standards for the product. For purposes of this paragraph, a lot shall consist of

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the ``Mechanically Separated (Species)'' designated as such by the operator of the establishment or his or her agent from the product produced from a single species of livestock in no more than one continuous shift of up to 12 hours. All units of any lot must be available for inspection by program employees. Analysis of a sample of at least 1 pound from each lot to verify contents of fat, protein, and calcium in ``Mechanically Separated (Species)'' shall be performed by the operator of the establishment or his or her agent to assure that finished product will meet the requirements in Sec. 319.5(a), except that such analyses with respect to fat, protein, and calcium content shall be required to be performed with respect to only one randomly selected lot of every five lots if the preceding ten analyses and all such analyses performed by the Department during the preceding ten analyses period establish compliance with the requirements of Sec. 319.5(a), and that no analyses with respect to fat or protein content shall be required where the finished product is represented as product for processing. An analysis of a sample of at least 1 pound to verify essential amino acid content and/or protein efficiency ratio in ``Mechanically Separated (Species)'' shall be performed by the operator of the establishment or his or her agent at the rate of at least one per month during production to assure that finished product will meet the requirements of Sec. 319.5(a), except that such analyses with respect to essential amino acid content and/or protein efficiency ratio shall be required to be performed only once every 6 months if the preceding three analyses and all such analyses performed by the Department during the preceding three analyses period establish compliance with the requirements of Sec. 319.5(a). Finished product samples shall be analyzed in accordance with ``Official Methods of Analysis of the Association of Official Analytical Chemists,'' (AOAC), 15th edition, 1990, Secs. 960.39, 976.21, 928.08 (Chapter 39), and 940.33 (Chapter 45), which is incorporated by reference, or if no AOAC method is available, in accordance with the ``Chemistry Laboratory Guidebook,'' U.S. Department of Agriculture, Washington, DC, March 1986 edition, sections 6.011-6.013, Revised June 1987 (pages 6-35 through 6-65). The ``Official Methods of Analysis of the Association of Official Analytical Chemists,'' 15th edition, 1990, is incorporated by reference with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR Part 51. Alternative methods of analysis may be submitted to the Administrator to determine their acceptability based upon their accuracy, repeatability, reproducibility, and lowest level of

reliable measurement, as demonstrated by at least 3 laboratories. Copies of AOAC's ``Official Methods'' may be obtained from: AOAC, 2200 Wilson Boulevard, Suite 400, Arlington, VA 22201. Copies of USDA's Chemistry Laboratory Guidebook may be obtained from: Superintendent of Documents, Government Printing Office, Washington, DC 20402. This incorporation by reference was approved by the Director of the Federal Register on December 30, 1981 and March 15, 1982. These materials are incorporated as they exist on the date of the approval. A notice of any change in the sections of the AOAC methods or the Chemistry Laboratory Guidebook cited herein will be published in the Federal Register.) The plant quality control system shall be subject to periodic review, and the approval of such system may be terminated in accordance with Sec. 318.4(g)(2) of this subchapter.

[47 FR 28256, June 29, 1982, as amended at 54 FR 40631, Oct. 3, 1989; 59 FR 33642, June 30, 1994]

Sec. 319.6 Limitations with respect to use of Mechanically Separated (Species).

(a) Meat food products required to be prepared from one species shall not contain Mechanically Separated (Species) of any other species.

(b) Mechanically Separated (Species) described in Sec. 319.5 that has a protein content of not less than 14 percent and a fat content of not more than 30 percent may constitute up to 20 percent of the livestock and poultry product portion of any meat food product except those listed in paragraph (d) of this section.

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(c) Mechanically Separated (Species) for processing described in Sec. 319.5 may constitute up to 20 percent of the livestock and poultry product portion of any meat food product that is subject to a definition and standard of identity or composition in Part 319 which establishes a maximum limit on the fat content of such meat food product except those listed in paragraph (d) of this section.

(d) Mechanically Separated (Species) and Mechanically Separated (Species) for processing described in Sec. 319.5 shall not be used in baby, junior, or toddler foods, ground beef, hamburger, fabricated steaks (Sec. 319.15 (a), (b), and (d)), barbecued meats (Sec. 319.80), roast beef-parboiled and steam roasted (Sec. 319.81), corned (cured) beef cuts (Secs. 319.100--319.103), certain cured pork products (Secs. 319.104 (a)-(e) and 319.106), tripe with milk (Sec. 319.308), lima beans with ham and similar products (Sec. 319.310), beef with gravy and gravy with beef (Sec. 319.313), and meat pies (Sec. 319.500).

[47 FR 28257, June 29, 1982]

Subpart B--Raw Meat Products

Sec. 319.15 Miscellaneous beef products.

(a) Chopped beef, ground beef. ``Chopped Beef'' or ``Ground Beef'' shall consist of chopped fresh and/or frozen beef with or without seasoning and without the addition of beef fat as such, shall not contain more than 30 percent fat, and shall not contain added water,

phosphates, binders, or extenders. When beef cheek meat (trimmed beef cheeks) is used in the preparation of chopped or ground beef, the amount of such cheek meat shall be limited to 25 percent; and if in excess of natural proportions, its presence shall be declared on the label, in the ingredient statement required by Sec. 317.2 of this subchapter, if any, and otherwise contiguous to the name of the product.

(b) Hamburger. ``Hamburger'' shall consist of chopped fresh and/or frozen beef with or without the addition of beef fat as such and/or seasoning, shall not contain more than 30 percent fat, and shall not contain added water, phosphates, binders, or extenders. Beef cheek meat (trimmed beef cheeks) may be used in the preparation of hamburger only in accordance with the conditions prescribed in paragraph (a) of this section.

(c) Beef patties. ``Beef Patties'' shall consist of chopped fresh and/or frozen beef with or without the addition of beef fat as such and/or seasonings. Binders or extenders, Mechanically Separated (Species) used in accordance with Sec. 319.6, and/or partially defatted beef fatty tissue may be used without added water or with added water only in amounts such that the product characteristics are essentially that of a meat pattie.

(d) Fabricated steak. Fabricated beef steaks, veal steaks, beef and veal steaks, or veal and beef steaks, and similar products, such as those labeled ``Beef Steak, Chopped, Shaped, Frozen,'' ``Minute Steak, Formed, Wafer Sliced, Frozen,'' ``Veal Steaks, Beef Added, Chopped--Molded--Cubed--Frozen, Hydrolyzed Plant Protein, and Flavoring'' shall be prepared by comminuting and forming the product from fresh and/or frozen meat, with or without added fat, of the species indicated on the label. Such products shall not contain more than 30 percent fat and shall not contain added water, binders or extenders. Beef cheek meat (trimmed beef cheeks) may be used in the preparation of fabricated beef steaks only in accordance with the conditions prescribed in paragraph (a) of this section.

(e) Partially defatted beef fatty tissue. ``Partially Defatted Beef Fatty Tissue'' is a beef byproduct derived from the low temperature rendering (not exceeding 120 deg.F.) of fresh beef fatty tissue. Such product shall have a pinkish color and a fresh odor and appearance.

[35 FR 15597, Oct. 3, 1970, as amended at 38 FR 29215, Oct. 23, 1973; 43 FR 26424, June 20, 1978; 47 FR 10784, Mar. 12, 1982; 47 FR 28257, June 29, 1982]

Sec. 319.29 Miscellaneous pork products.

(a) Partially defatted pork fatty tissue. ``Partially Defatted Pork Fatty Tissue'' is a pork byproduct derived from the low temperature rendering (not exceeding 120 deg.F.) of fresh pork fatty tissue, exclusive of skin. Such product shall have a pinkish color and a fresh odor and appearance.

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Subpart C--Cooked Meats

Sec. 319.80 Barbecued meats.

Barbecued meats, such as product labeled ``Beef Barbecue'' or

``Barbecued Pork,'' shall be cooked by the direct action of dry heat resulting from the burning of hard wood or the hot coals therefrom for a sufficient period to assume the usual characteristics of a barbecued article, which include the formation of a brown crust on the surface and the rendering of surface fat. The product may be basted with a sauce during the cooking process. The weight of barbecued meat shall not exceed 70 percent of the weight of the fresh uncooked meat.

Sec. 319.81 Roast beef parboiled and steam roasted.

``Roast Beef Parboiled and Steam Roasted'' shall be prepared so that the weight of the finished product, excluding salt and flavoring material, shall not exceed 70 percent of the fresh beef weight. Beef cheek meat and beef head meat from which the overlying glandular and connective tissues have been removed, and beef heart meat, exclusive of the heart cap may be used individually or collectively to the extent of 5 percent of the meat ingredients in the preparation of canned product labeled ``Roast Beef Parboiled and Steam Roasted.'' When beef cheek meat, beef head meat, or beef heart meat is used in the preparation of this product, its presence shall be reflected in the statement of ingredients required by part 317 of this subchapter.

[35 FR 15597, Oct. 3, 1970, as amended at 38 FR 29215, Oct. 23, 1973]

Subpart D--Cured Meats, Unsmoked and Smoked

Sec. 319.100 Corned beef.

``Corned Beef'' shall be prepared from beef briskets, navels, clods, middle ribs, rounds, rumps, or similar cuts using one or a combination of the curing ingredients specified in Sec. 318.7(c) (1) and (4) of this subchapter. Canned product labeled ``Corned Beef'' shall be prepared so that the weight of the finished product, excluding cure, salt, and flavoring material, shall not exceed 70 percent of the fresh beef weight. Corned beef other than canned shall be cured in pieces weighing not less than 1 pound, and if cooked, its weight shall not exceed the weight of the fresh uncured beef. Beef cheek meat, beef head meat and beef heart meat may be used to the extent of 5 percent of the meat ingredient in preparation of this product when trimmed as specified in Sec. 319.81. When beef cheek meat, beef head meat, or beef heart meat is used in preparation of this product, its presence shall be reflected in the statement of ingredients required by part 317 of this subchapter. The application of curing solution to beef cuts, other than briskets, which are intended for bulk corned beef shall not result in an increase in the weight of the finished cured product of more than 10 percent over the weight of the fresh uncured meat.

[35 FR 15597, Oct. 3, 1970; 36 FR 11903, June 23, 1971, as amended at 38 FR 29215, Oct. 23, 1973]

Sec. 319.101 Corned beef brisket.

In preparing ``Corned Beef Brisket,'' the application of curing solution to the beef brisket shall not result in an increase in the weight of the finished cured product of more than 20 percent over the weight of the fresh uncured brisket. If the product is cooked, the

weight of the finished product shall not exceed the weight of the fresh uncured brisket.

Sec. 319.102 Corned beef round and other corned beef cuts.

In preparing ``Corned Beef Round'' and other corned beef cuts, except ``Corned Beef Briskets,'' the curing solution shall be applied to pieces of beef weighing not less than one pound and such application shall not result in an increased weight of the cured beef product of more than 10 percent over the weight of the fresh uncured beef cut. If the product is cooked, the weight of the finished product shall not exceed the weight of the fresh uncured beef cut.

Sec. 319.103 Cured beef tongue.

In preparing ``Cured Beef Tongue,'' the application of curing solution to the fresh beef tongue shall not result in an increase in the weight of the cured

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beef tongue of more than 10 percent over the weight of the fresh uncured beef tongue.

Sec. 319.104 Cured pork products.

(a) Cured pork products, including hams, shoulders, picnics, butts and loins, shall comply with the minimum meat Protein Fat Free (PFF) percentage requirements set forth in the following chart:

Type of cured pork product	Minimum meat PFF percentage\1\	Product name and qualifying statements
Cooked ham, loin\2\.....	20.5	(Common and usual).
	18.5	(Common and usual) with natural juices.
	17.0	(Common and usual) water added.
	<17.0	(Common and usual) and water product--X% of weight is added ingredients.\3\
Cooked shoulder, butt, picnic\2\..	20.0	(Common and usual).
	18.0	(Common and usual) with natural juices.
	16.5	(Common and usual) water added.
	<16.5	(Common and usual) and water product--X% of weight is added ingredients.\3\
Uncooked cured ham, loin.....	18.0	Uncooked (common and

		usual).
	<18.0	Uncooked (common and usual) and water product--X% of weight is added ingredients.\3\
Uncooked cured shoulder, butt, picnic.	17.5	Uncooked (common and usual).
	<17.5	Uncooked (common and usual) and water product--X% of weight is added ingredients.\3\

\1\ The minimum meat PFF percentage shall be the minimum meat protein which is indigenous to the raw unprocessed pork expressed as a percent of the non-fat portion of the finished product; and compliance shall be determined under Sec. 318.19 of this subchapter for domestic cured pork product and Sec. 327.23 of this subchapter for imported cured pork product.

\2\ The term ``cooked'' is not appropriate for use on labels of cured pork products heated only for the purpose of destruction of possible live trichinae.

\3\ Processors may immediately follow this qualifying statement with a list of the ingredients in descending order of predominance rather than having the traditional ingredients statement. In any case, the maximum percent of added substances in the finished product on a total weight percentage basis would be inserted as the X value; e.g., Ham and Water Product--20% of Weight is Added Ingredients. A prerequisite for label approval of these products is a quality control program approved by the Administrator under Sec. 318.4 of this subchapter.

(b) Cured pork products for which there is a qualifying statement required in paragraph (a) of this section shall bear that statement as part of the product name in lettering not less than \3/8\ inch in height, or in lettering not less than one-third the size of the largest letter in the product name if it is in the same color and style of print and on the same color background as the product name. However, the Administrator may approve smaller lettering for labeling of packages of 1 pound or less, provided such lettering is at least one-third the size and of the same color and style as the product name.

(c) Cured pork product prepared pursuant to this section shall be subject to the compliance procedures in Sec. 318.19 of this subchapter.

(d) The binders provided in Sec. 318.7(c)(4) of this subchapter for use in cured pork products may be used singly in those cured pork products labeled as ``Ham water added'' and ``Ham and water product--X% of weight is added ingredients.'' These binders are not permitted to be used in combination with one or more such binders approved for use in cured pork products. When any such substance is added to these products, the substance shall be designated in the ingredients statement by its common or usual name in order of predominance.

[49 FR 14879, Apr. 13, 1984, as amended at 50 FR 9792, Mar. 12, 1985; 53 FR 5151, Feb. 22, 1988; 57 FR 42888, Sept. 17, 1992]

Sec. 319.105 ``Ham patties,'' ``Chopped ham,'' ``Pressed ham,'' ``Spiced ham,'' and similar products.

(a) Finely divided (chopped, ground, flaked, chipped) cured ham products such as ``Ham patties,'' ``Chopped ham,'' ``Pressed ham,'' and ``Spiced ham'' shall comply with minimum meat Protein Fat Free (PFF) percentage requirements set forth in the following chart:

Type of cured pork product	Minimum meat PFF percentage<SUP>1	Product name and qualifying statements
``Ham Patties,'' ``Chopped Ham,'' ``Pressed Ham,'' and ``Spiced Ham''.....	19.5	(Common and usual).
``Ham Patties,'' ``Chopped Ham,'' ``Pressed Ham,'' and ``Spiced Ham''.....	17.5	(Common and usual) with natural juices.

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``Ham Patties,'' ``Chopped Ham,'' ``Pressed Ham,'' and ``Spiced Ham''.....	16.0	(Common and usual) water added.
``Ham Patties,'' ``Chopped Ham,'' ``Pressed Ham,'' and ``Spiced Ham''.....	<16.0	(Common and usual) and water product--(x)% of weight is added ingredients .<SUP>2

<SUP>1 The minimum meat PFF percentage shall be the minimum meat protein which is indigenous to the raw, unprocessed pork expressed as a percent of the nonfat portion of the finished product; and compliance shall be determined under section 318.19 of this subchapter.

<SUP>2 Processors may immediately follow this qualifying statement with a list of the ingredients in descending order of predominance rather than having the traditional ingredients statement. In any case, the maximum percent of added substances in the finished product on a total weight percentage basis would be inserted as the X value; e.g., Ham and Water Product--20% of Weight is Added Ingredients. A prerequisite for label approval of these products is a quality control program approved by the Administrator under Sec. 318.4 of this subchapter.

(b) Cured pork products prepared under this section except ``Ham

patties'' may contain finely chopped ham shank meat to the extent of 25 percent over that normally present in boneless ham. Mechanically Separated (Species) Product may be used in accordance with Sec. 319.6.

(c) Cured pork product prepared pursuant to this section shall be subject to the compliance procedures in Sec. 318.19 of this subchapter, and those cured pork products prepared under this section for which there is a qualifying statement required shall comply with the requirements of Sec. 319.104(b) of this subchapter.

(d) In addition to the other requirements of this section, ``Ham Patties'' may not contain more than 35 percent fat, by analysis.

[49 FR 14880, Apr. 13, 1984, as amended at 53 FR 5151, Feb. 22, 1988]

Sec. 319.106 ``Country Ham,'' ``Country Style Ham,'' ``Dry Cured Ham,'' ``Country Pork Shoulder,'' ``Country Style Pork Shoulder,'' and ``Dry Cured Pork Shoulder.''

(a) ``Country Ham,'' ``Country Style Ham,'' or ``Dry Cured Ham,'' and ``Country Pork Shoulder,'' ``Country Style Pork Shoulder,'' or ``Dry Cured Pork Shoulder.'' are the uncooked, cured, dried, smoked or unsmoked meat food products made respectively from a single piece of meat conforming to the definition of ``ham,'' as specified in Sec. 317.8(b)(13) of this subchapter, or from a single piece of meat from a pork shoulder. They are prepared in accordance with paragraph (c) of this section by the dry application of salt (NaCl), or by the dry application of salt (NaCl) and one or more of the optional ingredients as specified in paragraph (d) of this section. They may not be injected with curing solutions nor placed in curing solutions.

(b) The product must be treated for the destruction of possible live trichinae in accordance with such methods as may be approved by the Administrator upon request in specific instances and none of the provisions of this standard can be interpreted as discharging trichinae treatment requirements.

(c)(1) The entire exterior of the ham or pork shoulder shall be coated by the dry application of salt or by the dry application of salt combined with other ingredients as permitted in paragraph (d) of this section.

(2) Additional salt, or salt mixed with other permitted ingredients, may be reapplied to the product as necessary to insure complete penetration.

(3) When sodium or potassium nitrate, or sodium or potassium nitrite, or a combination thereof, is used, the application of salt shall be in sufficient quantity to insure that the finished product has an internal salt content of at least 4 percent.

(4) When no sodium nitrate, potassium nitrate, sodium nitrite, potassium nitrite or a combination thereof is used, the application of salt shall be in sufficient quantity to insure that the finished product has a brine concentration of not less than 10 percent or a water activity of not more than 0.92.

(5) For hams or pork shoulders labeled ``country'' or ``country style,'' the combined period for curing and salt equalization shall not be less than 45 days for hams, and shall not be less than 25 days for pork shoulders; the total time for curing salt equalization,

and drying shall not be less than 70 days for hams, and shall not be less than 50 days for pork shoulders. During the drying and smoking period, the internal temperature of the product must not exceed 95 deg.F., provided that such temperature requirement shall not apply to product dried or smoked under natural climatic conditions.

(6) For hams or pork shoulders labeled ``dry cured,'' the combined period for curing and salt equalization shall not be less than 45 days for hams, and shall not be less than 25 days for pork shoulders; and the total time for curing, salt equalization, and drying shall not be less than 55 days for hams and shall not be less than 40 days for pork shoulders.

(7) The weight of the finished hams and pork shoulders covered in this section shall be at least 18 percent less than the fresh uncured weight of the article.

(d) The optional ingredients for products covered in this section are:

(1) Nutritive sweeteners, spices, seasonings and flavorings.

(2) Sodium or potassium nitrate and sodium or potassium nitrite if used as prescribed in this section and in accordance with Sec. 318.7(c)(4) of this subchapter.

[42 FR 3299, Jan. 18, 1977]

Effective Date Note: At 46 FR 1257, Jan. 6, 1981, the Department announced that the temperature and time period provisions of Sec. 319.106 (c)(5) and (c)(6) have not been in effect since November 17, 1980, and will not be enforced pending future Agency action in the matter. However, ham and pork shoulders must continue to be prepared in compliance with all other provisions of Sec. 319.106 in order to be labeled ``country ham,'' ``country style ham,'' or ``dry cured ham,'' and ``country pork shoulder,'' ``country style pork shoulder,'' or ``dry cured pork shoulder.''

Sec. 319.107 Bacon.

The weight of cured pork bellies ready for slicing and labeling as ``Bacon'' shall not exceed the weight of the fresh uncured pork bellies.

[49 FR 14880, Apr. 13, 1984]

Subpart E--Sausage Generally: Fresh Sausage

Sec. 319.140 Sausage.

Except as otherwise provided in this section, or under the Poultry Products Inspection Act with respect to products consisting partly of poultry, sausage is the coarse or finely comminuted meat food product prepared from one or more kinds of meat or meat and meat byproducts, containing various amounts of water as provided for elsewhere in this part, and usually seasoned with condimented proportions of condimental substances, and frequently cured. Certain sausage as provided for elsewhere in this part may contain binders and extenders as provided in Sec. 318.7(c)(4) of this subchapter. Sausage may not contain phosphates except that phosphates listed in Sec. 318.7(c)(4) of this subchapter may be used in cooked sausage. To facilitate chopping or mixing or to dissolve the usual curing ingredients, water or ice may be used in the

preparation of sausage which is not cooked in an amount not to exceed 3 percent of the total ingredients in the formula. Cooked sausages such as Polish sausage, cotto salami, braunschweiger, liver sausage, and similar cooked sausage products may contain no more than 10 percent of added water in the finished product. Sausage may contain Mechanically Separated (Species) used in accordance with Sec. 319.6.

[55 FR 34683, Aug. 24, 1990]

Sec. 319.141 Fresh pork sausage.

``Fresh Pork Sausage'' is sausage prepared with fresh pork or frozen pork or both, but not including pork byproducts, and may contain Mechanically Separated (Species) in accordance with Sec. 319.6, and may be seasoned with condimental substances as permitted under part 318 of this subchapter. The finished product shall not contain more than 50 percent fat. To facilitate chopping or mixing, water or ice may be used in an amount not to exceed 3 percent of the total ingredients used.

[35 FR 15597, Oct. 3, 1970, as amended at 43 FR 26424, June 20, 1978; 47 FR 28257, 28258, June 29, 1982]

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Sec. 319.142 Fresh beef sausage.

``Fresh Beef Sausage'' is sausage prepared with fresh beef or frozen beef, or both, but not including beef byproducts, and may contain Mechanically Separated (Species) used in accordance with Sec. 319.6, and may be seasoned with condimental substances as permitted under part 318 of this subchapter. The finished product shall not contain more than 30 percent fat. To facilitate chopping or mixing, water or ice may be used in an amount not to exceed 3 percent of the total ingredients used.

[35 FR 15597, Oct. 3, 1970, as amended at 43 FR 26424, June 20, 1978; 47 FR 28257, June 29, 1982]

Sec. 319.143 Breakfast sausage.

``Breakfast sausage'' is sausage prepared with fresh and/or frozen meat; or fresh and/or frozen meat and meat byproducts, and may contain Mechanically Separated (Species) in accordance with Sec. 319.6, and may be seasoned with condimental substances as permitted in part 318 of this subchapter. The finished product shall not contain more than 50 percent fat. To facilitate chopping or mixing, water or ice may be used in an amount not to exceed 3 percent of the total ingredients used. Binders or extenders may be added as provided in Sec. 318.7(c)(4) of this subchapter.

[55 FR 34683, Aug. 24, 1990]

Sec. 319.144 Whole hog sausage.

``Whole Hog Sausage'' is sausage prepared with fresh and/or frozen meat from swine in such proportions as are normal to a single animal, and may include any Mechanically Separated (Species) produced from the

animal and used in accordance with Sec. 319.6, and may be seasoned with condimental substances as permitted under part 318 of this subchapter. The finished product shall not contain more than 50 percent fat. To facilitate chopping or mixing, water or ice may be used in an amount not to exceed 3 percent of the total ingredients used.

[35 FR 15597, Oct. 3, 1970, as amended at 43 FR 26424, June 20, 1978; 47 FR 28257, 28258, June 29, 1982]

Sec. 319.145 Italian sausage products.

(a) Italian sausage products are cured or uncured sausages containing at least 85 percent meat, or combination of meat and fat, with the total fat content constituting not more than 35 percent of the finished product. Such products shall be prepared in accordance with the provisions of paragraph (a) (1), (2) or (3) of this section, and shall contain salt, pepper, and either fennel or anise, or a combination of fennel and anise. Such products may contain any or all of the optional ingredients listed in paragraph (b) of this section.

(1) ``Italian Sausage'' shall be prepared with fresh or frozen pork, or pork and pork fat, and may contain Mechanically Separated (Species) in accordance with Sec. 319.6.

(2) ``Italian Sausage with Beef,'' ``Italian Sausage with Veal,'' or ``Italian Sausage with Beef and Veal,'' shall be prepared so that fresh or frozen pork constitutes the major portion of the meat content requirement of this paragraph. Mechanically Separated (Species) may be used in accordance with Sec. 319.6. When pork muscle tissue is combined with beef or veal, or both, in the preparation of bulk-packed products, or patties, it shall be treated for the destruction of possible live trichinae in accordance with Sec. 318.10 of this subchapter.

(3) ``Italian Beef Sausage'' or ``Kosher Italian Beef Sausage'' shall be prepared with fresh or frozen beef or beef and beef fat. ``Italian Veal Sausage'' or ``Kosher Italian Veal Sausage'' shall be prepared with fresh or frozen veal or veal and veal fat. Mechanically Separated (Species) may be used in accordance with Sec. 319.6.

(4) Italian sausage products made in conformance with the provisions of paragraphs (a) (1), (2), and (3) of this section, and with paragraphs (b) and (c) of this section, may contain sodium nitrite or potassium nitrite in amounts not to exceed those allowed in the chart following Sec. 318.7(c)(4), provided that such products are labeled with the word ``cured'' in the product name, such as ``Cured Italian Sausage.'' The word ``cured'' shall be displayed on the product label in the same size and style of lettering as other words in the product name.

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(b) Optional ingredients permitted in Italian sausage products include:

(1) Spices (including paprika) and flavorings.

(2) Water or ice to facilitate chopping or mixing, but not to exceed 3 percent of the total weight of all ingredients including the water.

(3) Red or green peppers, or both.

(4) Dehydrated or fresh onions, garlic, and parsley.

(5) Sugar, dextrose, corn syrup, corn syrup solids, and glucose syrup.

(6) Monosodium glutamate and antioxidants in accordance with the

chart of substances in Sec. 318.7(c)(4) of this subchapter.

(c) If Italian sausage products are cooked or smoked, determination of compliance with the provisions of paragraphs (a) and (b) of this section shall be based on the uncooked or unsmoked product. The product before cooking or smoking shall contain no more than 3 percent water as specified in paragraph (b)(2) of this section. Product which is cooked shall be labeled with the word ``cooked'' in the product name, such as ``Cooked Italian Sausage'' or ``Cooked Cured Italian Sausage.'' Product which is smoked shall be labeled with the word ``smoked'' in the product name, such as ``Smoked Italian Sausage'' or ``Smoked Cured Italian Sausage.'' The words ``cooked'' and ``smoked'' shall be displayed on the product label in the same size and style of lettering as other words in the product name.

[41 FR 2630, Jan. 19, 1976, as amended at 43 FR 26424, June 20, 1978; 47 FR 28257, 28258, June 29, 1982; 49 FR 46533, Nov. 27, 1984]

Subpart F--Uncooked, Smoked Sausage

Sec. 319.160 Smoked pork sausage.

``Smoked Pork Sausage'' is pork sausage that is smoked with hardwood or other approved nonresinous materials. It may be seasoned with condimental substances as permitted in Part 318 of this subchapter. The finished product shall not contain more than 50 percent fat. To facilitate chopping or mixing, water, or ice may be used in an amount not to exceed 3 percent of the total ingredients used.

[35 FR 15597, Oct. 3, 1970, as amended at 47 FR 28258, June 29, 1982]

Subpart G--Cooked Sausage

Sec. 319.180 Frankfurter, frank, furter, hotdog, weiner, vienna, bologna, garlic bologna, knockwurst, and similar products.

(a) Frankfurter, frank, furter, hot-dog, wiener, vienna, bologna, garlic bologna, knockwurst and similar cooked sausages are comminuted, semisolid sausages prepared from one or more kinds of raw skeletal muscle meat or raw skeletal muscle meat and raw or cooked poultry meat, and seasoned and cured, using one or more of the curing agents in accordance with Sec. 318.7(c) of this chapter. They may or may not be smoked. The finished products shall not contain more than 30 percent fat. Water or ice, or both, may be used to facilitate chopping or mixing or to dissolve the curing ingredients but the sausage shall contain no more than 40 percent of a combination of fat and added water. These sausage products may contain only phosphates approved under Part 318 of this chapter. Such products may contain raw or cooked poultry meat and/or Mechanically Separated (Kind of Poultry) without skin and without kidneys and sex glands used in accordance with Sec. 381.174, not in excess of 15 percent of the total ingredients, excluding water, in the sausage, and Mechanically Separated (Species) used in accordance with Sec. 319.6. Such poultry meat ingredients shall be designated in the ingredient statement on the label of such sausage in accordance with the provisions of Sec. 381.118 of this chapter.

(b) Frankfurter, frank, furter, hot-dog, wiener, vienna, bologna, garlic bologna, knockwurst and similar cooked sausages that are labeled

with the phrase ``with byproducts'' or ``with variety meats'' in the product name are comminuted, semisolid sausages consisting of not less than 15 percent of one or more kinds of raw skeletal muscle meat with raw meat byproducts, or not less than 15 percent of one or more kinds of raw skeletal muscle meat with raw meat byproducts and raw or

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cooked poultry products; and seasoned and cured, using one or more of the curing ingredients in accordance with Sec. 318.7(c) of this chapter. They may or may not be smoked. Partially defatted pork fatty tissue or partially defatted beef fatty tissue, or a combination of both, may be used in an amount not exceeding 15 percent of the meat and meat byproducts or meat, meat byproducts, and poultry products ingredients. The finished products shall not contain more than 30 percent fat. Water or ice, or both, may be used to facilitate chopping or mixing to dissolve the curing and seasoning ingredients, the sausage shall contain no more than 40 percent of a combination of fat and added water. These sausage products may contain only phosphates approved under Part 318 of this chapter. These sausage products may contain poultry products and/or Mechanically Separated (Kind of Poultry) used in accordance with Sec. 381.174, individually or in combination, not in excess of 15 percent of the total ingredients, excluding water, in the sausage, and may contain Mechanically Separated (Species) used in accordance with Sec. 319.6. Such poultry products shall not contain kidneys or sex glands. The amount of poultry skin present in the sausage must not exceed the natural proportion of skin present on the whole carcass of the kind of poultry used in the sausage, as specified in Sec. 381.117(d) of this chapter. The poultry products used in the sausage shall be designated in the ingredient statement on the label of such sausage in accordance with the provisions of Sec. 381.118 of this chapter. Meat byproducts used in the sausage shall be designated individually in the ingredient statement on the label for such sausage in accordance with Sec. 317.2 of this chapter.

(c) A cooked sausage as defined in paragraph (a) of this section shall be labeled by its generic name, e.g., frankfurter, frank, furter, hotdog, wiener, vienna, bologna, garlic bologna, or knockwurst. When such sausage products are prepared with meat from a single species of cattle, sheep, swine, or goats they shall be labeled with the term designating the particular species in conjunction with the generic name, e.g., ``Beef Frankfurter,'' and when such sausage products are prepared in part with Mechanically Separated (Species) in accordance with Sec. 319.6, they shall be labeled in accordance with Sec. 317.2(j)(13) of this subchapter.

(d) A cooked sausage as defined in paragraph (b) of this section shall be labeled by its generic name, e.g., frankfurter, frank, furter, hotdog, wiener, vienna, bologna, garlic bologna, or knockwurst, in conjunction with the phrase ``with byproducts'' or ``with variety meats'' with such supplemental phrase shown in a prominent manner directly contiguous to the generic name and in the same color on an identical background.

(e) One or more of the binders and extenders as provided in Sec. 318.7(c)(4) of this subchapter may be used in cooked sausage otherwise complying with paragraph (a) or (b) of this section. When any such substance is added to these products, the substance shall be designated in the ingredients statement by its common or usual name in

order of predominance.

(f) Cooked sausages shall not be labeled with terms such as ``All Meat'' or ``All (Species),'' or otherwise to indicate they do not contain nonmeat ingredients or are prepared only from meat.

(g) For the purposes of this section: Poultry meat means deboned chicken meat or turkey meat, or both, without skin or added fat; poultry products mean chicken or turkey, or chicken meat or turkey meat as defined in Sec. 381.118 of this chapter, or poultry byproducts as defined in Sec. 381.1 of this chapter; and meat byproducts (or variety meats), mean pork stomachs or snouts; beef, veal, lamb, or goat tripe; beef, veal, lamb, goat, or pork hearts, tongues, fat, lips, weasands, and spleens; and partially defatted pork fatty tissue, or partially defatted beef fatty tissue.

[38 FR 14742, June 5, 1973; 38 FR 22621, Aug. 23, 1973; 38 FR 24640, Sept. 10, 1973, as amended at 43 FR 26424, June 20, 1978; 45 FR 10318, Feb. 15, 1980; 47 FR 10784, Mar. 12, 1982; 47 FR 26374, June 18, 1982; 47 FR 28257, June 29, 1982; 53 FR 8428, Mar. 15, 1988; 55 FR 34683, Aug. 24, 1990; 56 FR 41448, Aug. 21, 1991; 60 FR 55982, Nov. 3, 1995]

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Sec. 319.181 Cheesefurters and similar products.

``Cheesefurters'' and similar products are products in casings which resemble frankfurters except that they contain sufficient cheese to give definite characteristics to the finished article. They may contain binders and extenders as provided in Sec. 318.7(c)(4) of this subchapter. Limits on use as provided in Sec. 318.7 are intended to be exclusive of the cheese constituent. When any such substance is added to these products, the substance shall be designated in the ingredients statement by its common or usual name in order of predominance. These products shall contain no more than 40 percent of a combination of fat and added water, and no more than 30 percent fat and shall comply with the other provisions for cooked sausages that are in this subchapter.

[55 FR 34683, Aug. 24, 1990, as amended at 56 FR 41448, Aug. 21, 1991]

Sec. 319.182 Braunschweiger and liver sausage or liverwurst.

(a) ``Braunschweiger'' is a cooked sausage made from fresh, cured, and/or frozen pork, beef, and/or veal and at least 30 percent pork, beef, and/or veal livers computed on the weight of the fresh livers. It may also contain pork and/or beef fat. Mechanically Separated (Species) may be used in accordance with Sec. 319.6. Binders and extenders may be used as permitted in Sec. 319.140. The product may have a smoked taste characteristic, which may be imparted by use of smoked meats, smoke flavoring or smoking. If prepared from components of a single species, the product name may reflect the species, e.g., ``Beef Braunschweiger.'' Braunschweiger may also be labeled as any of the following: ``Braunschweiger--A Liver Sausage,'' ``Braunschweiger--A Liverwurst,'' or ``Braunschweiger (Liver Sausage)'' or ``Braunschweiger (Liverwurst).''

(b) ``Liver Sausage'' or ``Liverwurst'' is a cooked sausage made from fresh, cured, and/or frozen pork, beef, and/or veal and at least 30 percent pork, beef, veal, sheep, and/or goat livers computed on the

weight of the fresh livers. It may also contain pork and/or beef byproducts. Mechanically Separated (Species) may be used in accordance with Sec. 319.6. Binders and extenders maybe used as permitted in Sec. 319.140. If prepared from components of a single species, the product name may reflect that species, e.g., ``Pork Liver Sausage.''

[47 FR 36108, Aug. 19, 1982]

Subpart H [Reserved]

Subpart I--Semi-Dry Fermented Sausage [Reserved]

Subpart J--Dry Fermented Sausage [Reserved]

Subpart K--Luncheon Meat, Loaves and Jellied Products

Sec. 319.260 Luncheon meat.

``Luncheon Meat'' is a cured, cooked meat food product made from comminuted meat. Mechanically Separated (Species) may be used in accordance with Sec. 319.6. To facilitate chopping or mixing or to dissolve the usual curing ingredients, water or ice may be used in the preparation of luncheon meat in an amount not to exceed 3 percent of the total ingredients.

[35 FR 15597, Oct. 3, 1970, as amended at 43 FR 26425, June 20, 1978; 47 FR 28257, June 29, 1982]

Sec. 319.261 Meat loaf.

``Meat Loaf'' is a cooked meat food product in loaf form made from comminuted meat. Mechanically Separated (Species) may be used in accordance with Sec. 319.6. To facilitate chopping or mixing, water or ice may be used in an amount not to exceed 3 percent of the total ingredients used.

[35 FR 15597, Oct. 3, 1970, as amended at 43 FR 26425, June 20, 1978; 47 FR 28257, June 29, 1982]

Subpart L--Meat Specialties, Puddings and Nonspecific Loaves

Sec. 319.280 Scrapple.

``Scrapple'' shall contain not less than 40 percent meat and/or meat byproducts computed on the basis of the fresh weight, exclusive of bone. Mechanically Separated (Species) may be used in accordance with Sec. 319.6. The

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meal or flour used may be derived from grain and/or soybeans.

[35 FR 15597, Oct. 3, 1970, as amended at 43 FR 26425, June 20, 1978; 47 FR 28257, June 29, 1982]

Sec. 319.281 Bockwurst.

(a) Bockwurst is an uncured, comminuted meat food product which may or may not be cooked. It contains meat, milk or water or a combination thereof, eggs, vegetables, and any of the optional ingredients listed in paragraph (b) of this section; and is prepared in accordance with the provisions of paragraphs (a)(1), (2), (3), and (4) of this section.

(1) Meat shall constitute not less than 70 percent of the total weight of the product and shall consist of pork or a mixture of pork and veal, pork and beef, or pork, veal, and beef. Such meat shall be fresh or fresh frozen meat. Pork may be omitted when the specie or species of meat used in the product is identified in the product name (e.g., Veal Bockwurst, Beef Bockwurst, or Beef and Veal Bockwurst). Mechanically Separated (Species) may be used in accordance with Sec. 319.6.

(2) The ``milk'' may be fresh whole milk, dried milk, nonfat dry milk, calcium reduced dried skim milk, enzyme (rennet) treated calcium reduced dried skim milk and calcium lactate, or any combination thereof.

(3) ``Eggs'' refer to whole eggs that are fresh, frozen, or dried.

(4) ``Vegetables'' refer to onions, chives, parsley, and leeks, alone or in any combination.

(b) Bockwurst may contain one or more of the following optional ingredients:

(1) Pork fat.

(2) Celery, fresh or dehydrated.

(3) Spices, flavorings.

(4) Salt.

(5) Egg whites, fresh, frozen, or dried.

(6) Corn syrup solids, corn syrup, or glucose syrup with a maximum limit of 2 percent individually or collectively, calculated on a dry basis. The maximum quantities of such ingredients shall be computed on the basis of the total weight of the ingredients.

(7) Autolyzed yeast extract, hydrolyzed plant protein, milk protein hydrolysate, and monosodium glutamate.

(8) Sugars (sucrose and dextrose).

(9) Binders and extenders may be added as provided in Sec. 318.7(c)(4) of this subchapter. When any such substance is added to bockwurst, the substance shall be designated in the ingredients statement by its common or usual name in order of predominance.

(c) If bockwurst is cooked or partially cooked, the composition of the raw mix from which it is prepared shall be used in determining whether it meets the requirements of this section.

[40 FR 18542, Apr. 29, 1975, as amended at 41 FR 18089, Apr. 30, 1976; 43 FR 26425, June 20, 1978; 45 FR 10318, Feb. 15, 1980; 47 FR 26374, June 18, 1982; 47 FR 28257, 28258, June 29, 1982; 55 FR 34683, Aug. 24, 1990; 56 FR 41448, Aug. 21, 1991]

Subpart M--Canned, Frozen, or Dehydrated Meat Food Products

Sec. 319.300 Chili con carne.

``Chili con carne'' shall contain not less than 40 percent of meat computed on the weight of the fresh meat. Mechanically Separated (Species) may be used in accordance with Sec. 319.6. Head meat, cheek meat, and heart meat exclusive of the heart cap may be used to the extent of 25 percent of the meat ingredients under specific declaration on the label. The mixture may contain binders and extenders as provided

in Sec. 318.7(c)(4) of this subchapter.

[55 FR 34684, Aug. 24, 1990]

Sec. 319.301 Chili con carne with beans.

Chili con carne with beans shall contain not less than 25 percent of meat computed on the weight of the fresh meat. Mechanically Separated (Species) may be used in accordance with Sec. 319.6. Head meat, cheek meat, or heart meat exclusive of the heart cap may be used to the extent of 25 percent of the meat ingredients, and its presence shall be reflected in the statement of ingredients required by part 317 of this subchapter. The mixture may contain binders and extenders as provided in Sec. 318.7(c)(4) of this subchapter.

[55 FR 34684, Aug. 24, 1990]

Sec. 319.302 Hash.

``Hash'' shall contain not less than 35 percent of meat computed on the

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weight of the cooked and trimmed meat. The weight of the cooked meat used in this calculation shall not exceed 70 percent of the weight of the uncooked fresh meat. Mechanically Separated (Species) may be used in accordance with Sec. 319.6.

[35 FR 15597, Oct. 3, 1970, as amended at 43 FR 26425, June 20, 1978; 47 FR 28257, June 29, 1982]

Sec. 319.303 Corned beef hash.

(a) ``Corned Beef Hash'' is the semi-solid food product in the form of a compact mass which is prepared with beef, potatoes, curing agents, seasonings, and any of the optional ingredients listed in paragraph (b) of this section, in accordance with the provisions of paragraphs (a)(1), (2), (3) and (4) of this section and the provisions of paragraph (c) of this section.

(1) Either fresh beef, cured beef, or canned corned beef or a mixture of two or more of these ingredients, may be used, and the finished product shall contain not less than 35 percent of beef computed on the weight of the cooked and trimmed beef. The weight of the cooked meat used in this calculation shall not exceed 70 percent of the weight of the uncooked fresh meat.

(2) ``Potatoes'' refers to fresh potatoes, dehydrated potatoes, cooked dehydrated potatoes, or a mixture of two or more of these ingredients.

(3) The curing agents that may be used are salt, sodium nitrate, sodium nitrite, potassium nitrate, or potassium nitrite, or a combination of two or more of these ingredients. When sodium nitrate, or sodium nitrite, potassium nitrate, or potassium nitrite is used it shall be used in amounts not exceeding those specified in Sec. 318.7 (c)(4) of this subchapter.

(4) The seasonings that may be used, singly or in combination, are

salt, sugar (sucrose or dextrose), spice, and flavoring, including essential oils, oleoresins, and other spice extractives.

(b) Corned beef hash may contain one or more of the following optional ingredients:

(1) Beef cheek meat and beef head meat from which the overlying glandular and connective tissues have been removed, and beef heart meat, exclusive of the heart cap, may be used individually or collectively to the extent of 5 percent of the meat ingredients;

(2) Onions, including fresh onions, dehydrated onions, or onion powder;

(3) Garlic, including fresh garlic, dehydrated garlic, or garlic powder;

(4) Water;

(5) Beef broth or beef stock;

(6) Monosodium glutamate;

(7) Hydrolyzed plant protein;

(8) Beef fat;

(9) Mechanically Separated (Species) when derived from carcasses of cattle may be used in accordance with Sec. 319.6.

(c) The finished product shall not contain more than 15 percent fat nor more than 72 percent moisture.

(d)(1) When any ingredient specified in paragraph (b)(1) of this section is used, the label shall bear the following applicable statement: ``Beef cheek meat constitutes 5 percent of the meat ingredient,'' or ``Beef head meat constitutes 5 percent of the meat ingredient,'' or ``Beef heart meat constitutes 5 percent of the meat ingredient.'' When two or more of the ingredients are used, the words ``Constitutes 5 percent of meat ingredient'' need only appear once.

(2) Whenever the words ``corned beef hash'' are featured on the label so conspicuously as to identify the contents, the statements prescribed in paragraph (d)(1) of this section shall immediately and conspicuously precede or follow such name without intervening written, printed, or other graphic matter.

[35 FR 15597, Oct. 3, 1970, as amended at 43 FR 26425, June 20, 1978; 47 FR 28257, June 29, 1982]

Sec. 319.304 Meat stews.

Meat stews such as ``Beef Stew'' or ``Lamb Stew'' shall contain not less than 25 percent of meat of the species named on the label, computed on the weight of the fresh meat. Mechanically Separated (Species) may be used in accordance with Sec. 319.6.

[35 FR 15597, Oct. 3, 1970, as amended at 43 FR 26425, June 20, 1978; 47 FR 28257, June 29, 1982]

Sec. 319.305 Tamales.

``Tamales'' shall be prepared with at least 25 percent meat computed on the weight of the uncooked fresh meat in relation to all ingredients of the tamales. When tamales are packed in

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sauce or gravy, the name of the product shall include a prominent

reference to the sauce or gravy; for example, ``Tamales With Sauce'' or ``Tamales With Gravy.'' Product labeled ``Tamales With Sauce'' or ``Tamales With Gravy'' shall contain not less than 20 percent meat, computed on the weight of the uncooked fresh meat in relation to the total ingredients making up the tamales and sauce or the tamales and gravy. Mechanically Separated (Species) may be used in accordance with Sec. 319.6.

[35 FR 15597, Oct. 3, 1970, as amended at 43 FR 26425, June 20, 1978; 47 FR 28257, 28258, June 29, 1982]

Sec. 319.306 Spaghetti with meatballs and sauce, spaghetti with meat and sauce, and similar products.

``Spaghetti with Meatballs and Sauce'' and ``Spaghetti with Meat and Sauce,'' and similar products shall contain not less than 12 percent of meat computed on the weight of the fresh meat. Mechanically Separated (Species) may be used in accordance with Sec. 319.6. The presence of the sauce or gravy constituent shall be declared prominently on the label as part of the name of the product. Meatballs may be prepared with farinaceous material and with other binders and extenders as provided in Sec. 318.7(c)(4) of this subchapter.

[55 FR 34684, Aug. 24, 1990]

Sec. 319.307 Spaghetti sauce with meat.

``Spaghetti Sauce with Meat'' shall contain not less than 6 percent of meat computed on the weight of the fresh meat. Mechanically Separated (Species) may be used in accordance with Sec. 319.6.

[35 FR 15597, Oct. 3, 1970, as amended at 43 FR 26425, June 20, 1978; 47 FR 28257, June 29, 1982]

Sec. 319.308 Tripe with milk.

``Tripe with Milk'' shall be prepared so that the finished canned article, exclusive of the cooked-out juices and milk, will contain at least 65 percent tripe. The product shall be prepared with not less than 10 percent milk.

Sec. 319.309 Beans with frankfurters in sauce, sauerkraut with wieners and juice, and similar products.

``Beans with Frankfurters in Sauce,'' ``Sauerkraut with Wieners and Juice,'' and similar products shall contain not less than 20 percent frankfurters or wieners computed on the weight of the smoked and cooked sausage prior to its inclusion with the beans or sauerkraut.

Sec. 319.310 Lima beans with ham in sauce, beans with ham in sauce, beans with bacon in sauce, and similar products.

``Lima Beans with Ham in Sauce,'' ``Beans with Ham in Sauce,'' ``Beans with Bacon in Sauce,'' and similar products shall contain not less than 12 percent ham or bacon computed on the weight of the smoked ham or bacon prior to its inclusion with the beans and sauce.

Sec. 319.311 Chow mein vegetables with meat, and chop suey vegetables with meat.

``Chow Mein Vegetables with Meat'' and ``Chop Suey Vegetables with Meat'' shall contain not less than 12 percent meat computed on the weight of the uncooked fresh meat prior to its inclusion with the other ingredients. Mechanically Separated (Species) may be used in accordance with Sec. 319.6.

[35 FR 15597, Oct. 3, 1970; 36 FR 11903, June 23, 1971, as amended at 43 FR 26425, June 20, 1978; 47 FR 28257, June 29, 1982]

Sec. 319.312 Pork with barbecue sauce and beef with barbecue sauce.

``Pork with Barbecue Sauce'' and ``Beef with Barbecue Sauce'' shall contain not less than 50 percent meat of the species specified on the label, computed on the weight of the cooked and trimmed meat. Mechanically Separated (Species) may be used in accordance with Sec. 319.6. The weight of the cooked meat used in this calculation shall not exceed 70 percent of the uncooked weight of the meat. If uncooked meat is used in formulating the products, they shall contain at least 72 percent meat computed on the weight of the fresh uncooked meat.

[51 FR 32059, Sept. 9, 1986]

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Sec. 319.313 Beef with gravy and gravy with beef.

``Beef with Gravy'' and ``Gravy with Beef'' shall not be made with beef which, in the aggregate for each lot contains more than 30 percent trimmable fat, that is, fat which can be removed by thorough, practicable trimming and sorting.

Subpart N--Meat Food Entree Products, Pies, and Turnovers

Sec. 319.500 Meat pies.

Meat pies such as ``Beef Pie,'' ``Veal Pie,'' and ``Pork Pie'' shall contain meat of the species specified on the label, in an amount not less than 25 percent of all ingredients including crust and shall be computed on the basis of the fresh uncooked meat.

Subpart O--Meat Snacks, Hors d'Oeuvres, Pizza, and Specialty Items

Sec. 319.600 Pizza.

(a) ``Pizza with Meat'' is a bread base meat food product with tomato sauce, cheese, and meat topping. It shall contain cooked meat made from not less than 15 percent raw meat. Mechanically Separated (Species) may be used in accordance with Sec. 319.6.

(b) ``Pizza with Sausage'' is a bread base meat food product with tomato sauce, cheese, and not less than 12 percent cooked sausage or 10 percent dry sausage; e.g., pepperoni. Mechanically Separated (Species) may be used in accordance with Sec. 319.6.

[35 FR 15597, Oct. 3, 1970, as amended at 43 FR 26425, June 20, 1978; 47 FR 28257, June 29, 1982]

Subpart P--Fats, Oils, Shortenings

Sec. 319.700 Margarine or oleomargarine.<SUP>1

\1\ Insofar as the standard contains provisions relating to margarine or oleomargarine which does not contain any meat food products, such provisions merely reflect the applicable standard under the Federal Food, Drug, and Cosmetic Act.

(a) Margarine or oleomargarine is the food in plastic form or liquid emulsion, containing not less than 80 percent fat determined by the method prescribed under Sec. 938.06 (Chapter 33) of the ``Indirect Methods'' in ``Official Methods of Analysis of the Association of Official Analytical Chemists'', 15th edition, 1990.<SUP>2 The ``Official Methods of Analysis of the Association of Official Analytical Chemists,'' 15th edition, 1990, is incorporated by reference with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. It is produced from one or more of the ingredients designated in paragraph (a)(1) of this section, and one or more of the ingredients designated in paragraph (a)(2) of this section, to which may be added one or more of the optional ingredients designated in paragraph (b) of this section. Margarine or oleomargarine contains Vitamin A as provided for in paragraph (a)(3) of this section.

\2\ A copy of the ``Official Methods of Analysis of the Association of Official Analytical Chemists,'' 15th edition, 1990, is on file with the Director, Office of the Federal Register, and may be purchased from the Association of Official Analytical Chemists, Inc., 2200 Wilson Boulevard, Suite 400, Arlington, Virginia 22201.

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(1) Edible fats and oils or mixtures of these, whose origin is vegetable or rendered animal fats from cattle, sheep, swine or goats.

(2)(i) Water; milk; milk products including, but not limited to, the liquid, condensed, or dry form of whey, reduced lactose whey, reduced minerals whey, or whey protein concentrate, non-lactose-containing whey components, casein, or caseinate; or other suitable edible protein, including albumin, vegetable proteins, or soy protein isolate; or any mixture of two or more of the articles designated in this subparagraph, in amounts not greater than reasonably required to accomplish the desired effect.

(ii) The articles designated in this subparagraph shall be pasteurized and then may be subjected to the action of harmless bacterial starters. One or more of the articles designated in this subparagraph is intimately mixed with the edible fat or oil ingredients, or both, to form a solidified or liquid emulsion.

(3) Vitamin A in such quantity that the finished margarine or oleomargarine contains not less than 15,000

International Units (IU) of ViTamin A per pound or 33,000 IU per kilogram.

(b)(1) Vitamin D in such quantity that the finished margarine or oleomargarine contains not less than 1,500 IU of Vitamin D per pound or 3,300 IU per kilogram.

(2) Salt (sodium chloride); or potassium chloride for dietary margarine or oleomargarine.

(3) Nutritive carbohydrate sweeteners.

(4) Emulsifiers identified in Sec. 318.7(c)(4) of this chapter, within these maximum amounts in percent by weight of the finished food: Mono- and diglycerides of fatty acids esterified with any or all of the following acids: acetic, acetyltartaric, citric, lactic, tartaric, and their sodium and calcium salts, 0.5 percent; such mono- and diglycerides in combination with the sodium sulfoacetate derivatives thereof, 0.5 percent; polyglycerol esters of fatty acids, 0.5 percent; 1,2-propylene glycol esters of fatty acids, 2 percent; lecithin, 0.5 percent.

(5) Preservatives identified in Sec. 318.7(c)(4) of this chapter, within these maximum amounts in percent by weight of the finished food: Sorbic acid, benzoic acid and their sodium, potassium, and calcium salts, individually, 0.1 percent, or in combination, 0.2 percent, expressed as the acids; calcium disodium EDTA, 0.0075 percent; stearyl citrate, 0.15 percent; isopropyl citrate mixture, 0.02 percent.

(6) Antioxidants identified in Sec. 318.7(c)(4) of this chapter, within these maximum amounts in percent by weight of the finished food: propyl, octyl and dodecyl gallates, BHT (butylated hydroxytoluene), BHA (butylated hydroxyanisole), ascorbyl palmitate, ascorbyl stearate, all individually or in combination, 0.02 percent. Instead of these antioxidants, TBHQ (tertiary butylhydroquinone), alone or in combination only with BHT and/or BHA, with a maximum 0.02 percent by weight of the fat and oil content.

(7) Coloring agents identified in Sec. 318.7(c)(4) of this chapter, in amounts sufficient for purpose.<SUP>3 For the purpose of this subparagraph, provitamine A (beta-carotene) shall also be deemed to be a coloring agent.

<SUP>3 Colored margarine or oleomargarine is also subject to the provisions of section 407 of the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 347), as reflected in Sec. 317.8(h)(24) of this subchapter.

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(8) Flavoring substances in amounts sufficient for purpose.

(9) Acidulants identified in Sec. 318.7(c)(4) of this chapter, in amounts sufficient for purpose: adipic acid; citric and lactic acids and their potassium and sodium salts; phosphoric acid; L-tartaric acid and its sodium and sodium-potassium salts; and hydrochloric acid.

(10) Alkalizers identified in Sec. 318.7(c)(4) of this chapter, in amounts sufficient for purpose: potassium bicarbonate, potassium carbonate, sodium bicarbonate, sodium carbonate, and sodium hydroxide.

(11) For the purposes of this section, the term ``milk'' unqualified means milk from cows. If any milk other than cow's milk is used in whole or in part, the animal source shall be identified in conjunction with the word ``milk'' in the ingredient statement.

[48 FR 52697, Nov. 22, 1983, as amended at 50 FR 3739, Jan. 28, 1985; 54 FR 40632, Oct. 3, 1989; 59 FR 33642, June 30, 1994]

Sec. 319.701 Mixed fat shortening.

Shortening prepared with a mixture of meat fats and vegetable oils may be identified either as ``Shortening Prepared with Meat Fats and Vegetable Oils'' or ``Shortening Prepared with Vegetable Oils and Meat Fats'' depending on the predominance of the fat and oils used, or the product may be labeled ``Shortening'' when accompanied by an ingredient statement with ingredients listed in descending order of predominance.

Sec. 319.702 Lard, leaf lard.

(a) Lard is the fat rendered from clean and sound edible tissues from swine. The tissues may be fresh, frozen, cooked, or prepared by other processes approved by the Administrator in specific cases, upon his determination that the use of such processes will not result in the adulteration or misbranding of the lard. The tissues shall be reasonably free from blood, and shall not

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include stomachs, livers, spleens, kidneys, and brains, or settlings and skimmings. ``Leaf Lard'' is lard prepared from fresh leaf (abdominal) fat.

(b) Lard (when properly labeled) may be hardened by the use of lard stearin or hydrogenated lard or both and may contain refined lard and deodorized lard, but the labels of such lard shall state such facts, as applicable.

(c) Products labeled ``Lard'' or ``Leaf Lard'' must have the following identity and quality characteristics to insure good color, odor, and taste of finished product:

(1) Color	White when solid, Maximum 3.0 red units in a 5\1/4\ inch cell on the Lovibond scale.
(2) Odor and taste	Characteristic and free from foreign odors and flavors.
(3) Free fatty acid	Maximum 0.5 percent (as oleic) or 1.0 acid value, as milligrams KOH per gram of sample.
(4) Peroxide value	Maximum 5.0 (as milliequivalents of peroxide per kilogram fat).
(5) Moisture and volatile matter	Maximum 0.2 percent.
(6) Insoluble impurities	By appearance of liquid, fat or maximum 0.05 percent.

(d) Product found upon inspection not to have the characteristics specified in paragraph (c) of this section but found to be otherwise sound and in compliance with paragraph (a) of this section may be further processed for the purpose of achieving such characteristics.

[43 FR 25420, June 13, 1978]

Sec. 319.703 Rendered animal fat or mixture thereof.

``Rendered Animal Fat,'' or any mixture of fats containing edible rendered animal fat, shall contain no added water, except that ``Puff Pastry Shortening'' may contain not more than 10 percent of water.

[35 FR 15597, Oct. 3, 1970, as amended at 43 FR 25420, June 13, 1978]

Subpart Q--Meat Soups, Soup Mixes, Broths, Stocks, Extracts

Sec. 319.720 Meat extract.

Meat extract (e.g., ``Beef Extract'') shall contain not more than 25 percent of moisture.

Sec. 319.721 Fluid extract of meat.

Fluid extract of meat (e.g., ``Fluid Extract of Beef'') shall contain not more than 50 percent of moisture.

Subpart R--Meat Salads and Meat Spreads

Sec. 319.760 Deviled ham, deviled tongue, and similar products.

(a) ``Deviled Ham'' is a semiplastic cured meat food product made from finely comminuted ham and containing condiments. Mechanically Separated (Species) may be used in accordance with Sec. 319.6. Deviled ham may contain added ham fat: Provided, That the total fat content shall not exceed 35 percent of the finished product. The moisture content of deviled ham shall not exceed that of the fresh unprocessed meat.

(b) The moisture content of ``Deviled Tongue'' and similar products shall not exceed that of the fresh, unprocessed meat.

[35 FR 15597, Oct. 3, 1970, as amended at 43 FR 26425, June 20, 1978; 47 FR 28257, June 29, 1982]

Sec. 319.761 Potted meat food product and deviled meat food product.

``Potted Meat Food Product'' and ``Deviled Meat Food Product'' shall not contain cereal, vegetable flour, nonfat dry milk, or similar substances. The amount of water added to potted meat food product and deviled meat food product shall be limited to that necessary to replace moisture lost during processing.

Sec. 319.762 Ham spread, tongue spread, and similar products.

``Ham Spread,'' ``Tongue Spread,'' and similar products shall contain not less than 50 percent of the meat ingredient named, computed on the weight of the fresh meat. Other meat and fat may be used to give the desired spreading consistency provided it does not detract from the character of the spreads named. Mechanically Separated (Species) may be used in accordance with Sec. 319.6.

[35 FR 15597, Oct. 3, 1970, as amended at 43 FR 26425, June 20, 1978; 47 FR 28257, June 29, 1982]

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Subpart S--Meat Baby Foods [Reserved]

Subpart T--Dietetic Meat Foods [Reserved]

Subpart U--Miscellaneous

Sec. 319.880 Breaded products.

The amount of batter and breading used as a coating for breaded product shall not exceed 30 percent of the weight of the finished breaded product.

Sec. 319.881 Liver meat food products.

Meat food products characterized and labeled as liver products such as liver loaf, liver cheese, liver spread, liver mush, liver paste, and liver pudding shall contain not less than 30 percent of pork, beef, sheep, or goat livers computed on the fresh weight of the livers.

[36 FR 12004, June 24, 1971]