

THIS TABLE SUMMARIZES INFORMATION CONCERNING JURISDICTION OVERLAP FOR COMMERCIAL PRODUCTS REGULATED BY EITHER OR BOTH FDA AND USDA. IT DOES NOT COVER PRODUCTS MADE FOR ON-SITE CONSUMPTION SUCH AS PIZZA PARLORS, DELICATESSENS, FAST FOOD SITES, ETC. PRODUCTS CARRYING THE USDA SHIELD ARE USDA JURISDICTION.

FDA JURISDICTION	USDA JURISDICTION		
<p>21 USC 392(b) Meats and meat food products shall be exempt from the provisions of this Act to the extent of the application or the extension thereto of the Meat Inspection Act. FDA responsible for all non-specified red meats (bison, rabbits, game animals, zoo animals and all members of the deer family including elk (wapiti) and moose)). FDA responsible for all non-specified birds including wild turkeys, wild ducks, wild geese and Emus.</p>	<p>The Meat Inspection Act specifies the species of animal covered and includes carcasses or parts of cattle, sheep, swine, goats, horses, mules or other equines. Mandatory Inspection of Ratites and Squab announced by USDA/FSIS April 2001</p>	<p>The Poultry Products Inspection Act (PPIA) defines the term poultry as any domesticated bird. USDA has interpreted this to include chickens, turkeys, domestic ducks, domestic geese and guineas. The Poultry Products Inspection Act states poultry and poultry products shall be exempt from the provisions of the FD&C Act to the extent they are covered by the PPIA.</p>	<p>The Egg Products Inspection Act defines egg to mean the shell egg of domesticated chicken, turkey, duck, goose or guinea. Grading of shell eggs is done under USDA supervision. (FDA enforces labels/labeling of shell eggs and egg products.)</p>
<p>Products with 3% or less raw meat; less than 2% cooked meat or other portions of the carcass; or less than 30% fat, tallow or meat extract, alone or in combination.</p> <p>Products containing less than 2% cooked poultry meat; less than 10% cooked poultry skins, giblets, fat and poultry meat (limited to less than 2%) in any combination.*</p> <p>Closed-face sandwiches.</p>	<p>Products containing greater than 3% raw meat; 2% or more cooked meat or other portions of the carcass; or 30% or more fat, tallow or meat extract, alone or in combination.*</p> <p>Open-face sandwiches.</p>	<p>Products containing 2% or more cooked poultry; more than 10% cooked poultry skins, giblets, fat and poultry meat in any combination.*</p>	<p>Egg processing plants (egg washing, sorting, egg breaking, and pasteurizing operations) are under USDA jurisdiction.</p>
<p>FDA is responsible for egg containing products and other egg processing not covered by USDA; e.g. restaurants, bakeries, cake mix plants, etc.</p>			<p>Products that are basically known for their egg content are under USDA jurisdiction such as egg rolls for slicing, heat 'n serve omelets, etc.</p>
<p>Cheese pizza, onion and mushroom pizza, meat flavored spaghetti sauce (less than 3% red meat), spaghetti sauce with mushrooms and 2% meat, pork and beans, sliced egg sandwich (closed-face), frozen fish dinner, rabbit stew, shrimp-flavored instant noodles, venison jerky, buffalo burgers, alligator nuggets, noodle soup chicken flavor</p>	<p>Pepperoni pizza, meat-lovers stuffed crust pizza, meat sauces (3% red meat or more), spaghetti sauce with meat balls, open-faced roast beef sandwich, hot dogs, corn dogs, beef/vegetable pot pie</p>	<p>Chicken sandwich (open face), chicken noodle soup</p>	

Jurisdiction for products produced under the School Lunch Program, for military use, etc. is determined via the same algorithm although the purchases are made under strict specifications so that the burden of compliance falls on the contractor. Compliance Policy Guide 565.100, 567.200 and 567.300 provide additional examples of jurisdiction. IOM 3.2.1 and 2.7.1 provide more information on our interactions with USDA and Detention Authority.

* These percentages are based on the amount of meat or poultry product used in the product at formulation.