poultry products which would clearly endanger the public health.

§ 381.14 Inspection concerning purportedly exempted operations.

Inspectors of the Inspection Service are authorized to make inspections in accordance with law to ascertain whether any of the provisions of the Act or the regulations applying to producers, retailers, or other persons purporting to be exempted from any requirements under this subpart have been violated.

§ 381.15 Exemption from definition of "poultry product" of certain human food products containing poultry.

The following articles contain poultry ingredients only in a relatively small proportion or historically have not been considered by consumers as products of the poultry food industry. Therefore said articles are exempted from the definition of ''poultry product'' and the requirements of the Act and the regulations applicable to poultry products, if they comply with the conditions specified in this section.

(a) Any human food product (in a consumer package) not provided for in paragraph (c) of this section, if:

(1) It contains less than 2 percent cooked poultry meat (deboned white or dark poultry meat, or both) and/or ''Mechanically Separated (Kind of Poultry)'' as defined in § 381.173;

(2) It contains less than 10 percent of cooked poultry skins, giblets, or fat, separately, and less than 10 percent of cooked poultry skins, giblets, fat, and meat (as meat is limited in paragraph (a)(1) of this section) or ''Mechanically Separated (Kind of Poultry)'' as defined in § 381.173, in any combination;

(3) The poultry ingredients used in the product were prepared under inspection as defined in § 381.1, or were inspected under a foreign inspection system approved under § 381.196(b) and imported in compliance with the Act and the regulations;

(4) The immediate container of the product bears a label which shows the name of the product in accordance with this section; and

(5) The product is not represented as a poultry product. The aforesaid percentages of ingredients shall be computed on the basis of the moist, deboned, cooked poultry in the ready-to-serve product when prepared according to the serving directions on the consumer package.

(b) Any human food product (in an institutional pack), not provided for in paragraph (c) of this section, if:

(1) It is prepared for sale only to institutional users, such as hotels, restaurants, and boardinghouses, for use as a soup base or flavoring;

(2) It contains less than 15 percent cooked poultry meat (deboned white or dark poultry meat or both) and/or ''Mechanically Separated (Kind of Poultry)'' as defined in § 381.173, computed on the basis of the moist deboned, cooked poultry meat and/or ''Mechanically Separated (Kind of Poultry)'' in such product; and

(3) It complies with the provisions of paragraphs (a)(3), (4), and (5) of this section in all respects.

(c) Bouillon cubes, poultry broths, gravies, sauces, seasonings, and flavorings if:

(1) They contain poultry meat and/or ''Mechanically Separated (Kind of Poultry)'' as defined in § 381.173 or poultry fat only in condimental quantities;

(2) They comply with the provisions of paragraphs (a)(3), (4), and (5) of this section in all respects; and

(3) In the case of poultry broth, it will not be used in the processing of any poultry product in any official establishment.

(d) Fat capsules and sandwiches containing poultry products if they comply with the provisions of paragraphs (a)(3), (4), and (5) of this section in all respects.

(e) Products of the types specified in this section except those specified in paragraphs (c) and (d) of this section will be deemed to be represented as poultry products if the kind name of the poultry (chicken, turkey, etc.) is used in the product name of the product without appropriate qualification. For example, a consumer-packaged noodle soup product containing less than 2 percent chicken meat on a ready-to-serve basis may not be labeled ''Chicken Noodle Soup'' but, when appropriate, could be labeled as ''Chicken Flavored Noodle Soup.'' Products exempted under this section are subject