

Food Safety and Inspection Service, USDA

§ 381.224

(g) Provisions of this part relating to exports and imports do not apply to operations and transactions solely in or for intrastate commerce.

[37 FR 9706, May 16, 1972, as amended at 39 FR 4569, Feb. 5, 1974; 62 FR 45027, Aug. 25, 1997]

§ 381.223 Control and disposition of nonfederally inspected poultry products in States designated under paragraph 5(c) of the Act.

Upon the effective date of designation of a State under paragraph 5(c) of the Act, no poultry products can be processed within the State unless they are prepared under inspection pursuant to the regulations or are exempted from the requirement of inspection under § 381.10, and no unexempted poultry products which were processed without any inspection can lawfully be distributed within the State. For a period of 90 days from the effective date of such designation, poultry products which were processed in any State listed in § 381.187 and inspected and passed

under the supervision of a responsible State or local inspection agency or exempted from State inspection can be distributed solely within the State, provided they are not adulterated or misbranded, except that the official inspection legend shall not be used. Such products may not enter official establishments. After said 90-day period, only federally inspected and passed products may be distributed within the designated State, except as provided in § 381.10.

§ 381.224 Designation of States under section 11 of the Act; application of sections of the Act and the regulations.

Each of the following States has been designated, effective on the date shown below, under section 11 of the Act, as a State in which the provisions of the sections of the Act and regulations specified below shall apply to operators engaged, other than in or for commerce, in the kinds of business indicated below:

Paragraphs of act and regulations	Classes of operators	State	Effective date
Act, 11(b): §§ 381.175–381.178.	Persons engaged (not in or for commerce) in (1) the business of slaughtering any poultry or processing, freezing, packaging, or labeling any poultry carcasses, or parts or products thereof, for use as human food or animal food; (2) the business of buying or selling (as a poultry products broker, wholesaler, or otherwise), transporting or storing any poultry carcasses, or parts or products thereof; or (3) business as a renderer or in the business of buying, selling, or transporting any dead, dying, disabled, or diseased poultry or parts of carcasses of any poultry that died otherwise than by slaughter.	Alaska	July 31, 1999.
		Arkansas	Apr. 1, 1976.
		California	July 1, 1975.
		Colorado	Oct. 1, 1975.
		Connecticut	Nov. 12, 1976.
		Georgia	Nov. 19, 1976.
		Guam	Nov. 12, 1976.
		Idaho	Apr. 18, 1973.
		Kentucky	Nov. 12, 1976.
		Maryland	Jan. 12, 1976.
		Massachusetts ...	Nov. 12, 1976.
		Michigan	Jan. 31, 1975.
		Nebraska	Jan. 31, 1975.
		Nevada	Oct. 29, 1979.
		New Hampshire ..	July 1, 1975.
		New Jersey	July 16, 1975.
		New York	July 23, 1973.
		Northern Mariana Islands.	Oct. 29, 1979.
		Islands.	Jan. 31, 1975.
		Oregon	
		Pennsylvania	May 2, 1974.
		Puerto Rico	Nov. 19, 1976.
		Rhode Island	Mar. 29, 1982.
		South Dakota	Nov. 12, 1976.
Tennessee	Oct. 1, 1975.		
Virgin Islands	Nov. 19, 1976.		
Washington	Jan. 31, 1975.		
			Nov. 12, 1976.

§ 381.225

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Paragraphs of act and regulations	Classes of operators	State	Effective date
Act, 11(c); § 381.179	Persons engaged (not in or for commerce) in business as a poultry products broker; renderer; animal food manufacturer; wholesaler or public warehouseman of poultry carcasses, or parts or products thereof; or buying, selling, or transporting dead, dying, disabled, or diseased poultry or parts of carcasses of any poultry that died otherwise than by slaughter.	Alaska Arkansas California Colorado Connecticut Georgia Guam Idaho Kentucky Maryland Massachusetts .. Michigan Nebraska Nevada New Hampshire .. New Jersey New York Northern Mariana Islands. Oregon Pennsylvania Puerto Rico Rhode Island South Dakota Tennessee Virgin Islands Washington	July 31, 1999. Apr. 1, 1976. July 1, 1975. Oct. 1, 1975. Nov. 12, 1976. Nov. 19, 1976. Nov. 12, 1976. Apr. 18, 1973. Nov. 12, 1976. Jan. 12, 1976. Nov. 12, 1976. Jan. 31, 1975. Jan. 31, 1975. Oct. 29, 1979. July 1, 1975. July 16, 1975. July 23, 1973. Oct. 29, 1979. Jan. 31, 1975. May 2, 1974. Nov. 19, 1976. Mar. 29, 1982. Nov. 12, 1976. Oct. 1, 1975. Nov. 19, 1976. Jan. 31, 1975. Nov. 12, 1976.
Act, 11(d); 381.194	Persons engaged (not in or for commerce) in the business of buying, selling or transporting any dead, dying, disabled or diseased poultry, or parts or carcasses of any poultry that died otherwise than by slaughter.	Alaska Arkansas Georgia Guam Idaho Maryland Michigan New Hampshire .. Northern Mariana Islands. Puerto Rico Rhode Island South Dakota Virgin Islands	July 31, 1999. Nov. 12, 1976. Nov. 19, 1976. Nov. 12, 1976. Nov. 12, 1976. Nov. 12, 1976. Oct. 29, 1979. Oct. 29, 1979. Nov. 19, 1976. Mar. 29, 1982. Nov. 12, 1976. Nov. 19, 1976. Nov. 12, 1976.

[37 FR 9706, May 16, 1972; 65 FR 6888, Feb. 11, 2000]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §381.224, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 381.225 Criteria and procedure for designating establishments with operations which would clearly endanger the public health; disposition of poultry products therein.

(a) An establishment in any State not listed in § 381.221 that is preparing poultry products solely for distribution within such State shall be designated as one producing adulterated products which would clearly endanger the public health, if:

(1) Any poultry product processed at the establishment is adulterated in any of the following respects:

(i) It bears or contains a pesticide chemical, food additive, or color additive, that is “unsafe” within the meaning of section 408, 409, or 706 of the Federal Food, Drug, and Cosmetic Act or was intentionally subjected to radiation in a manner not permitted under section 409 of said Act; or if it bears or contains any other added poisonous or