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PROCLAMATIONS, ORDERS AND
DIRECTIVES OF OFFICE OF THE
HIGH COMMISSIONER

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PROCLAMATIONS, ORDERS AND DIRECTIVES OF OFFICE OF THE HIGH COMMISSIONER

PROCLAMATION FOR A LATER ELECTION FOR THE 3RD REPRESENTATIVE DISTRICT, MARIANA ISLANDS DISTRICT

WHEREAS, the general election for members of the Congress of Micronesia was scheduled for November 5th, 1974, in accordance with United States Department of the Interior Order 2918, as amended, and Title 43 of the Trust Territory Code; and

WHEREAS, the Islands of Pagan, Alamagan, and Agrigan in the 3rd Representative District, Mariana Islands District, established by Title 43, Section 53 of the Trust Territory Code, experienced strong winds from Tropical Storm Gloria on the day of the election; and

WHEREAS, this continued an ACT OF GOD which prevented the Election Commissioner from transporting to the said islands the ballots of the 3rd Representative District in the Mariana Islands District and other election materials, and as a result thereof the people of the said islands did not vote; and

WHEREAS, Section 8, Part III of the same Secretarial Order and Title 43, Section 3 of the Trust Territory Code also provide that in the event of a natural disaster or other Act of God, the effect of which precludes holding the election on the scheduled date, the High Commissioner with the approval of the Secretary of the Interior, may proclaim a later election in the affected election district or districts; and

WHEREAS, the Secretary of the Interior has approved the said general election to be held at a later date;

NOW, THEREFORE, it is hereby ordered that the general election for members of the Congress of Micronesia from the 3rd Representative District, Mariana Islands District, be held on November 9, 1974.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 7th day of November, 1974.

PROCLAMATION FOR A LATER ELECTION FOR THE 20TH REPRESENTATIVE DISTRICT, YAP DISTRICT

WHEREAS, the general election for members of the Congress of Micronesia was scheduled for November 5th, 1974, in accordance with United States Department of the Interior Order 2918, as amended, and Title 43 of the Trust Territory Code; and

WHEREAS, the 20th Representative District, Yap District, as established by Title 43, Section 53 of the Trust Territory Code, composed of Yap Island Proper, namely Rumung Islands, Yap Islands, Map Islands, and Gagil-Tomil Island, experienced strong winds from Tropical Storm Gloria on the day of the election; and

WHEREAS, this constituted an ACT OF GOD which prevented the people of the 20th Representative District in Yap District from going to the polls;

WHEREAS, Section 8, Part III of the same Secretarial Order and Title 43, Section 3 of the Trust Territory Code also provide that in the event of a natural disaster or other Act of God, the effect of which precludes holding the election on the scheduled date, the High Commissioner with the approval of the Secretary of the Interior, may proclaim a later election in the affected election district or districts; and

WHEREAS, the Secretary of the Interior has approved the said general election to be held at a later date;

NOW, THEREFORE, it is hereby ordered that the general election for members of the Congress of Micronesia from the 20th Representative District, Yap District, be held on November 7, 1974.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 7th day of November, 1974.

EXISTING REGULATIONS

This section of the Territorial Register contains regulations having general applicability and legal effect, adopted prior to July 1, 1974, which are now published pursuant to Public Law 5-86 and are to be compiled and codified pursuant to Public Laws 5-86 and 1-3.

DIVISION OF AGRICULTURE
TITLE 25
ANIMALS & PLANTS—QUARANTINE CONTROL
CHAPTER XIII

113.4 Suppression of Odors in Preparing Inedible Products. Tanks, fertilizer driers, and other equipment used in the preparation of inedible product shall be properly equipped with condensers and other appliances which will acceptably suppress odors incident to such preparation.

113.5 Inedible Rendered Fats Prepared at Official Establishments. Rendered animal fat derived from condemned or other inedible materials at official establishments shall be denatured to effectually distinguish it from an edible product, either with low grade offal during the rendering or by adding to, and mixing thoroughly with, such fat, denaturing oil, No. 2 fuel oil, or brucine dissolved in a mixture of alcohol and pine oil or oil of rosemary.

113.6 Inedible Fats From Outside Official Establishments. Inedible fats from outside the premises of any official establishment shall not be received into an official establishment except into the tank room provided for inedible products, and then only when they have been denatured in accordance with Section 113.5 and are marked in accordance with Section 115.15 of this chapter, and when their receipt into the tank room produces no insanitary condition on the premises; nor shall such fats be received in such volume as interferes with prompt disposal of condemned or other inedible material produced at the establishment. When received, they shall not enter any room or compartment used for edible products.

113.7 Carcasses of Livestock Condemned on Ante-Mortem Inspection Not to Pass Through Edible Product Areas. Carcasses of livestock which have been condemned on ante-mortem inspection shall not be taken through rooms or compartments in which an edible product is prepared, handled, or stored.

113.8 Dead Animal Carcasses.

a. With the exception of dead livestock which have died en route and are received with livestock for slaughter at an official establishment, no dead animal or part of the carcass of any livestock that died otherwise than by slaughter may be brought on the premises of an official

establishment unless advance permission therefore is obtained from the officer in charge.

b. Under no circumstances shall the carcasses of any animal which has died otherwise than by slaughter, or any part thereof, be brought into any room or compartment in which any edible product is prepared, handled, or stored.

113.9 Specimens for Educational, Research, and Other Nonfood Purposes; Permits for, Required.

a. Specimens of condemned or other inedible materials, including embryos and specimens of animal parasites, may be released for educational, research, or other nonfood purposes under permit issued by the officer in charge: Provided, that the person desiring such specimens makes a written application to the officer in charge and arranges with and receives permission from the official establishment to obtain the specimens. Permits shall be issued for a period not longer than 1 year. The permit may be revoked by the officer in charge if the specimens are not used as stated in the application, or if the collection or handling of the specimens interferes with inspection or the maintenance of sanitary conditions in the establishment.

b. The specimens referred to in paragraph (a) of this section shall be collected and handled only at such time and place and in such manner as not to interfere with the inspection or to cause any objectionable condition and shall be identified as inedible when they leave the establishment.

113.10 Livers Condemned Because of Parasitic Infestation and for Other causes; Conditions for Disposal for Purposes Other Than Human Food.

a. Livers condemned on account of fluke infestation may be shipped from an official establishment only for purposes other than human food and only if they are first freely slashed, then identified, and handled as provided in this paragraph. The identification shall be accomplished by either (1) dipping the slashed livers in a hot solution composed of one part FD&C green No. 3 or methyl violet to 5,000 parts of water, followed by washing in fresh water until the washings are no longer colored, or (2) the application of charcoal. The livers shall be either frozen or cooked as prescribed in this paragraph. Freezing shall be preceded by chilling the livers to a temperature not above 40°F. Livers packed in containers not more than 7 inches

thick shall then be held for a period of not less than 10 days at a temperature not higher than 15°F or for a period of not less than 5 days at a temperature not higher than 10°F. Livers packed in containers over 7 inches but less than 27 inches thick shall be held not less than 20 days at a temperature not higher than 15°F, or for not less than 10 days at a temperature not higher than 10°F. In lieu of freezing, the livers may be thoroughly cooked. It is essential that the livers be sufficiently identified through discoloration by the dye or charcoal to preclude their use as human food. Freezing may be accomplished in the regular freezer in a properly separated compartment or receptacle held under Program lock.

b. Livers condemned on account of hydatids or fringed tapeworms may not be shipped from an official establishment only for purposes other than human food and only if they are thoroughly cooked, slashed, and identified as provided in paragraph (a) of this section.

c. Livers condemned on account of parasites other than flukes, hydatids, or fringed tapeworms may be shipped from an official establishment without refrigeration or cooking but only for purposes other than human food and only for slashing and identifying as indicated in paragraph (a) of this section.

d. Livers condemned for telangiectasis, angioma, "sawdust" condition, cirrhosis, or other nonmalignant change, benign abscesses, or contamination, when these conditions are not associated with infectious diseases in the carcasses, may be shipped from an official establishment without refrigeration or cooking but only for purposes other than human food, and only if all tissue affected with abscesses is removed and destroyed within the establishment, and all the livers are slashed and identified as indicated in paragraph (a) of this section or with any proprietary substance approved by the Chief in specific cases.

e. Livers identified as specified in this section shall be placed in containers plainly marked "inedible," and when shipped in commerce shall be certified.

113.11 Handling of Certain Condemned Products for Purposes Other Than Human Food. Condemned carcasses of animals affected with one or more of the following conditions may be shipped from an official establishment only for purposes other than human food and only if permission therefor is obtained from the officer in charge: Anasarca, Ocular Squamous Cell Carcinoma (after removal of neoplastic tissue), emaciation, eosinophilic myositis, immaturity, nonseptic bruises and injuries, and sarosporidiosis. This provision is also applicable to unborn calves and to articles such as lungs, paunches and udders provided such articles are not condemned for other pathological reasons. Such permission will be granted only if all parts to be so used will be promptly handled, freely slashed and adequately identified. The slashing, identification and packing of the product shall be accomplished in an inedible product area under the supervision of an inspector. Facilities must be adequate so that the carcasses or parts

saved under these provisions are not contaminated with pus, manure, septic, or toxic materials, or similar substances. The operation must not result in insanitary conditions within the establishment.

PART 114. RENDERING OR OTHER DISPOSAL OF CARCASSES AND PARTS PASSED FOR COOKING

114.1 Carcasses and Parts Passed for Cooking; Rendering Into Lard, Rendered Pork Fat, or Tallow. Carcasses and parts passed for cooking may be rendered into lard or rendered pork fat in accordance with Sections 118.702 and 118.703(b) of this chapter or rendered into tallow, provided such rendering is done in the following manner:

a. When closed rendering equipment is used, the lower opening, except when permanently connected with a blowline, shall first be sealed securely by a Program employee; then the carcasses or parts shall be placed in such equipment in his presence, after which the upper opening shall be securely sealed by such employee. When the product passed for cooking in the tank does not consist of a carcasses or whole primal part, the requirements for sealing shall be at the discretion of the officer in charge. Such carcasses and parts shall be cooked for a time sufficient to render them effectually into lard, rendered pork fat, or tallow, provided all parts of the products are heated to a temperature not lower than 170°F for a period of not less than 30 minutes.

b. At establishments not equipped with closed rendering equipment for rendering carcasses and parts passed for cooking into lard, rendered pork fat, and tallow, such carcasses or parts may be rendered in open kettles under the direct supervision of a Program employee. Such rendering shall be done during regular hours of work and in compliance with the requirements as to temperature and time specified in paragraph (a) of this section.

114.2 Disposal of Products Passed for Cooking if Not Handled According to this Part. Products passed for cooking if not handled and processed in accordance with the provisions of this part, shall be disposed of in accordance with Sections 113.1 or 113.3 of this chapter.

PART 115. MARKING PRODUCTS AND THEIR CONTAINERS

115.1 Authorization Required to Make Devices Bearing Official Marks. No brand manufacturer, printer or other person shall cast, print, lithograph, or otherwise make or cause to be made any device containing any official mark or simulation thereof without prior written authority therefor from the Chief as provided for in Part 116 of this chapter.

115.2 Approval Required for Official Marks. No device containing any official mark shall be made or caused to be made for use on any product until it has been approved by the Chief as provided for in Part 116 of this chapter.

115.3 Use of Official Marks Prohibited Except Under

Supervision of Program Employee; Removal of Official Marks, When Required.

a. No person shall affix or place, or cause to be affixed or placed, the official inspection legend or any other official mark, or any abbreviation or simulation of any official mark, to or on any product, or container thereof, except under the supervision of a Program employee, or as authorized by Part 116 of this chapter in connection with the manufacture of containers.

b. No person shall fill, or cause to be filled, in whole or in part, with any product, any container bearing or intended to bear any official mark, or any abbreviation or simulation of any official mark, except under the supervision of a Program employee.

c. Product bearing any official mark shall not be canned, cooked, cured, smoked, salted, packed, rendered, or otherwise prepared by any person for commercial purposes unless:

(1) Such preparation is performed at an official establishment; or

(2) Such preparation is conducted under District or other governmental inspection and the prepared product is marked to show that fact; or

(3) The official marks are removed, defaced, or otherwise destroyed before or during such preparation; or

(4) The preparation of the product consists solely of cutting up operations at any establishment exempted from inspection under the regulations.

115.4 Marking Devices; to be Furnished by Official Establishments Control of.

a. The operator of each official establishment shall furnish such ink brands, burning brands, and any other device for marking products with official marks as the Chief may determine is necessary for marking products at such establishment. The official inspection legend on such a device shall be as prescribed in Part 112 of this chapter.

b. All official devices for marking products with the official inspection legend, or other official marks, including self-locking seals, shall be used only under supervision of a Program employee and, when not in use for marking shall be kept locked in properly equipped lockers or compartments, the keys of which shall not leave the possession of a Program employee. The locker or compartment, shall be sealed with an official seal of the Division (as prescribed in Part 112 of this chapter.)

115.5 Branding Ink; to be Furnished by Official Establishments; Approval by Program; Color.

a. The operator of each official establishment shall furnish all ink for marking products with the official marks at

such establishment. Such ink must be made with harmless ingredients that are approved for the purpose by the Chief. Samples of inks shall be submitted to the Program laboratory from time to time as may be deemed necessary by the officer in charge.

b. Only purple ink approved for the purpose shall be used to apply ink brands bearing official marks to carcasses of cattle, sheep, swine, or goats and fresh meat cuts derived therefrom.

c. Green ink shall not be used to apply marks to carcasses of cattle, sheep, swine, or goats or fresh meat cuts derived therefrom.

d. Except as provided in paragraphs (b) and (c) of this section, branding ink of any color, approved for the purpose by the Chief in specific cases, may be used to apply ink brands, bearing official marks, to processed meat cuts derived from cattle, sheep, swine, or goats.

e. Ink used must assure legibility and permanence of the markings and the color of ink shall provide acceptable contrast with the color of the product to which it is applied.

115.6 Products Not to be Removed From Official Establishments Unless Marked in Accordance With the Regulations. No person shall remove or cause to be removed from an official establishment any products which the regulations in this chapter require to be marked in any way unless they are clearly and legibly marked in compliance with such regulations.

115.7 Marking Devices Not to be False or Misleading; Style and Size of Lettering; Approval Required. No brand or other marking device shall be false or misleading. The letters and figures thereon shall be of such style and type as will make a clear and legible impression. All marking to be applied to products in an official establishment shall be approved prior to use by the Chief as provided for in Section 116.3 of this chapter.

115.8 Unmarked Inspected Products; Moved Between Official Establishments; Moved in Commerce.

a. Unmarked products which have been inspected and passed but do not bear the official inspection legend may be transported from one official establishment to another official establishment, for further processing, in a truck, or other closed container, if the truck, or container is sealed with an official seal of the Division (as prescribed in Part 112 of this chapter) bearing the official inspection legend.

b. Products which have been inspected and passed but do not bear the official inspection legend may be removed from an official establishment in closed containers bearing the official inspection legend and all other information required by this part and Part 116 of this chapter: Provided, that upon removal from such closed container the product may not be further transported in commerce unless such removal is made under the supervision of a Program employee and

such product is reinspected by a Program employee and packed under his supervision in containers bearing the official inspection legend and all other information required by this part and Part 116 of this chapter: And provided further, that unmarked product shall not be brought into an official establishment in an open container.

115.9 Products to be Marked with Official Marks.

a. Each carcass which has been inspected and passed in an official establishment shall be marked at the time of inspection with the official inspection legend containing the number of the official establishment.

b. Except as provided otherwise in this part, each primal part of a carcass, the beef cod fat and beef kidney fat, and each liver, beef tongue, and beef heart which has been inspected and passed shall be marked with the official inspection legend containing the number of the official establishment before it leaves the establishment in which it is first inspected and passed, and each inspected and passed product shall be marked with the official inspection legend containing the number of the official establishment where it was last prepared: Provided, that products need not be so marked if packed in properly labeled immediate containers in accordance with the regulations in Part 116 of this chapter. Additional official marks of inspection may be applied to products as desired to meet local conditions. Primal parts are the wholesale cuts of carcasses as customarily distributed to retailers. The round, flank, loin, rib, plate, brisket, chuck, and shank are primal parts of beef carcasses. Veal, mutton, and goat primal parts are the leg, flank, loin, rack, breast, and shoulder. The ham, belly, loin, shoulder, and jowl are pork primal parts.

c. Beef livers shall be marked with the official inspection legend containing the number of the official establishment, at which the cattle involved were slaughtered, on the convex surface of the thickest portion of the organ.

d. Inspected and passed parts of carcasses which are not marked with the official inspection legend shall not enter any official establishment.

115.10 Marking of Meat Products with Official Inspection Legend and Ingredient Statement.

a. Inspected and passed sausages and other products in casings or in link form, of the ordinary "ring" variety or larger shall be marked with the official inspection legend and list of ingredients in accordance with Part 116 of this chapter. The official marks required by this section shall be branded in near each end of the sausage or similar product prepared in casings when the product is of a size larger than that customarily sold at retail intact.

b. Inspected and passed sausage and other products, in casings or in link form, of the smaller varieties, shall bear one or more official inspection legends and one or

more lists of ingredients in accordance with Part 116 of this chapter on each 2 pounds of product, except where such products leave the official establishment completely enclosed in properly labeled immediate containers having a capacity of 10 pounds or less and containing a single kind of product: Provided that such products in properly labeled closed containers exceeding 10 pounds capacity, when shipped to another official establishment for further processing or to a governmental agency, need only have the official inspection legend and list of ingredients shown twice throughout the contents of the container. When such products are shipped to another official establishment for further processing, the officer in charge at the point of origin shall identify the shipment to the officer in charge at destination.

c. The list of ingredients may be applied by stamping, printing, using paper bands, tags, or tissue strips, or other means approved by the Chief in specific cases.

115.11 Special Markings for Certain Meat Food Products.

a. Meat food products prepared in casing or link form (whether or not thereafter subdivided), other than sausage, which possess the characteristics of or resemble sausage, shall bear on each link or piece the word "imitation" prominently displayed: Provided, that the following need not be so marked if they bear on each link or piece the name of the product in accordance with Section 116.2 of this chapter: Such products as coppa, Capocollo, lachschinken, bacon, pork loins, pork shoulder butts, and similar cuts of meat which are prepared without added substance other than curing materials or condiments; meat rolls, bockwurst, and similar products which do not contain cereal or vegetables; headcheese, souse, sulze, scrapple, blood pudding, and liver pudding; and other products such as loaves, chili con carne, and meat and cheese products when prepared with sufficient cheese to give definite characteristics to the finished products: And provided further, that imitation sausage packed in properly labeled containers having a capacity of 3 pounds or less and of a kind usually sold at retail intact, need not bear the word "imitation" on each link or piece if no other marking or labeling is applied directly to the product.

b. When cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, isolated soy protein, dried milk, nonfat dry milk, or calcium reduced dried skim milk is added to sausage in casing or in link form within the limits prescribed in Part 118 of this chapter, the products shall be marked with the name of each added ingredient, as for example "cereal added," "Potato flour added," "cereal and potato flour added," "soy flour added," "isolated soy protein added," "nonfat dry milk added," "calcium reduced dried skim milk added," or "cereal and nonfat dry milk added," as the case may be.

c. (1) When product is placed in a casing to which artificial coloring is thereafter applied, as permitted in Part 117 of this chapter, the product shall be legibly and

conspicuously marked by stamping or printing on the casing the words "artificially colored."

(2) If a casing is removed from product at an official establishment and there is evidence of artificial coloring on the surface of the product, the product from which the casing has been removed shall be marked by stamping directly thereon the words "artificially colored."

(3) The casing containing product need not be marked to show that it is colored if it is colored prior to its use as a covering for the product, and the coloring is of a kind and so applied as not to be transferable to the product and not to be misleading or deceptive in any respect.

d. When an approved artificial smoke flavoring or an approved smoke flavoring is added to the formula of any meat food product as permitted in Part 117 of this chapter, the product shall be legibly and conspicuously marked with the words "Artificial Smoke Flavoring Added" or "Smoke Flavoring Added," whichever may be applicable.

e. Subject to the provisions in paragraph (a) of this section, in the case of sausage of the smaller varieties, the markings prescribed in this section may be limited to links bearing the official inspection legend, and such markings shall not be required if the sausages are packed in properly labeled containers having a capacity of 3 pounds or less and of a kind usually sold at retail intact. Further, all markings otherwise required by this section (except those required by paragraph (a) of this section) may be omitted from the casings of sausage and other meat food products when these products are to be processed in sealed metal containers properly labeled in accordance with the requirements in Part 116 of this chapter.

f. When an approved antioxidant is added to any meat food product as permitted in Parts 117 and 118 of this chapter, the products shall be legibly and conspicuously marked in an approved manner identifying the specific antioxidant used by its common name or approved abbreviation and the purpose for which it is added, such as, "BHA, BHT, and Propylgallate added to help protect flavor.

g. Sausage of the dry varieties treated with potassium sorbate or propylparaben (propyl p-hydroxybenzoate) as permitted by Part 117 of this chapter shall be marked as prescribed in Section 116.8 (b) (28) of this chapter.

115.12 Marking of Outside Containers.

a. Except as otherwise provided in this chapter, when any inspected and passed product for domestic commerce is moved from an official establishment, the outside container shall bear an official inspection legend as prescribed in Part 112 of this chapter.

b. When any product prepared in an official establishment for domestic commerce has been inspected and passed and is enclosed in a cloth or other wrapping, such wrapping shall bear the official inspection legend and official establishment number applied by the approved 2½-inch rubber brand in the form prescribed in Part 112 of this chapter: Provided, that the rubber brand may be omitted if the official inspection legend and official establishment number on the product itself are clearly legible through the wrapping or the wrapping is labeled in accordance with Part 116 of this chapter: Provided further, that plain unprinted wrappings, such as stockinettes, cheesecloth, paper, and crinkled paper bags, for properly marked products, which are used solely to protect the product against soiling or excessive drying during transportation or storage, need not bear the official inspection legend.

c. The outside containers of products for export shall be marked.

d. Slack barrels used as outside containers of products shall have a cloth or paper top covering bearing the official inspection legend containing the official establishment number. At the time of removal of the covering, the official inspection legend shall be destroyed.

e. The outside containers of any product which has been inspected and passed for cooking, pork which has been refrigerated as provided in Section 117.10(c) of this chapter, and beef which has been inspected and passed for refrigeration shall bear the markings and tag prescribed.

f. The outside containers of glands and organs which are not used for human food purposes shall be plainly marked with the phrase "For pharmaceutical purposes," "For organotherapeutic purposes" or "For technical purposes," as appropriate, with no reference to inspection, and need not bear other markings otherwise required under the regulations in this chapter.

g. Stencils, box dies, labels, and brands may be used on shipping containers of properly labeled products and on such immediate containers, of properly marked products, as tierces, barrels, drums, boxes, crates, and large-size fiberboard containers, without approval as provided for in Section 116.3 of this chapter: Provided, that the stencils, box dies, labels, and brands are not false or misleading and are approved by the officer in charge. The official inspection legend for use with such markings shall be approved by the Chief as provided for in Part 116 of this chapter.

h. The outside containers of livers prepared as described in Section 113.10 (a), (b), (c), and (d) shall be marked as prescribed in Section 113.10 (c) of this chapter.

i. The outside containers of any equine product shall be marked to show the kinds of animals from which derived, when the products are sold, transported, offered

for sale or transported, or received for transportation in commerce.

115.13 Marking Tank Trucks Used in Transportation of Edible Products.

a. Each tank truck carrying inspected and passed product from an official establishment shall bear a label containing the name of the product in accordance with Section 116.2 of this chapter, the official inspection legend containing the number of the official establishment and the words "date of loading," followed by a suitable space in which the inspector shall insert the date when the truck is loaded. The label shall be located conspicuously and shall be printed on material of such character and so affixed as to preclude detachment or effacement upon exposure to the weather. Before the truck is removed from the place where it is unloaded, the carrier shall remove or obliterate such label.

b. Tank trucks carrying inspected and passed product from an official establishment to another official establishment shall be equipped for sealing and securely sealed by a Program employee with an official seal of the Division bearing the official inspection legend as prescribed in Part 112 of this chapter.

115.14 Marking Outside Containers of Inedible Grease, etc.

a. Outside containers of inedible grease, inedible tallow, or other inedible animal fat, or mixture of any such articles, resulting from operations at any official establishment shall be marked conspicuously with the word "inedible" prior to removal from the point of filling. Containers, such as tierces, barrels, and half barrels shall have both ends painted white with durable paint, if necessary, to provide a contrasting background, and the word "inedible" shall be marked thereon in letters not less than 2 inches high, while on tank cars and tank trucks the letters shall be not less than 4 inches high.

b. Inspected rendered animal fat which is intended not to be used for human food may also be marked "inedible" if handled as provided in paragraph (a) of this section and Part 113 of this chapter.

115.15 Custom Prepared Products to be Marked "Not for Sale." Carcasses and parts therefrom that are prepared on a custom basis under Section 103.1 (a) (2) of this chapter shall be marked at the time of preparation with the term "Not for Sale" in letters at least three-eighths inch in height, except that such product need not be so marked if in immediate containers properly labeled in accordance with the regulations in Section 116.16 of this chapter. Ink used for marking such products must comply with the requirements of Section 115.5

PART 116. LABELING, MARKING DEVICES, AND CONTAINERS

116.1 Labels Required; Supervision by Program Employee.

a. When, in an official establishment, any inspected and passed product is placed in any receptacle or covering constituting an immediate container, there shall be affixed to such container a label as described in Section 116.2 except that the following do not have to bear such a label.

(1) Wrappings of dressed carcasses and primal parts in an unprocessed state, bearing the official inspection legend, if such wrappings are intended solely to protect the product against soiling or excessive drying during transportation or storage, and the wrappings bear no information except company brand names, trade marks, or code numbers which do not include any information required by Section 116.2.

(2) Uncolored transparent coverings, such as cellophane, which bear no written, printed, or graphic matter and which enclose any unpackaged or packaged product bearing all markings required by Part 115 of this chapter which are clearly legible through such coverings;

(3) Animal and transparent artificial casings bearing only the markings required by Part 115 of this chapter;

(4) Stockinettes used as "operative devices," such as those applied to cured meats in preparation for smoking, whether or not such stockinettes are removed following completion of the operations for which they were applied;

(5) Containers such as boil-in bags, trays of frozen dinners, and pie pans which bear no information except company brand names, trademarks, code numbers, directions for preparation and serving suggestions, and which are enclosed in a consumer size container that bears a label as described in Section 116.2;

(6) Containers of products passed cooking or refrigeration and moved from an official establishment under Section 111.1 of this chapter.

b. Folders and similar coverings made of paper or similar materials, whether or not they completely enclose the product and which bear any written, printed, or graphic matter, shall bear all features required on a label for an immediate container.

c. No covering or other container which bears or is to bear a label shall be filled, in whole or in part, except with product which has been inspected and passed in compliance with the regulations in this chapter, which is not adulterated and which is strictly in accordance with the statements on the label. No such container shall be filled, in whole or in part, and no label shall be affixed thereto, except under supervision of a Program employee.

116.2 Labels: Definition; Required Features.

a. A label within the meaning of this part shall mean a display of any printing, lithographing, embossing, stickers, seals, or other written, printed, or graphic matter upon the immediate container (not including package liners) of any product.

b. Any word, statement, or other information required by this part to appear on the label must be prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices, in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individuals under customary conditions of purchase and use. In order to meet this requirement, such information must appear on the principal display panel except as otherwise permitted in this part.

c. Labels of all products shall show the following information on the principal display panel (except as otherwise permitted in this part), in accordance with the requirements of this part or, if applicable, Part 118 of this chapter:

(1) The name of the product, which in the case of a product which purports to be or is represented as a product for which a definition and standard of identity or composition is prescribed in Part 118 of this chapter, shall be the name of the food specified in the standard, and in the case of any other product shall be the common or usual name of the food, if any there be, and if there is none, a truthful descriptive designation, as prescribed in paragraph (e) of this section;

(2) If the product is fabricated from two or more ingredients, the word "ingredients" followed by a list of the ingredients as prescribed in paragraph (f) of this section;

(3) The name and place of business of the manufacturer, packer, or distributor for whom the product is prepared, as prescribed in paragraph (g) of this section;

(4) An accurate statement of the net quantity of contents, as prescribed in paragraph (h) of this section;

(5) An official inspection legend and, except as otherwise provided in paragraph (i) of this section, the number of the official establishment, in the form required by Part 112 of this chapter;

(6) Any other information required by the regulations in this part or Part 118 of this chapter.

d. The principal display panel shall be the part of a label that is most likely to be displayed, presented, shown, or examined under customary conditions of display for sale. Where packages bear alternate principal display panels, information required to be placed on the principal display panel shall be duplicated on each principal display panel. The principal display panel shall be large enough to accommodate all the mandatory label

information required to be placed thereon by this part and Part 118 of this chapter with clarity and conspicuousness and without obscuring of such crowding. In determining the area of the principal display panel, exclude tops, bottoms, flanges at tops and bottoms of cans, and shoulders and necks of bottles or jars. The principal display panel shall be:

(1) In the case of a rectangular package, one entire side, the area of which is at least the product of the height times the width of that side.

(2) In the case of a cylindrical or nearly cylindrical container:

(i) An area that is 40 percent of the product of the height of the container times the circumference of the container, or

(ii) An area at least one-third of the product of the height times the circumference of the container; if immediately to the right or left of such area, there is an area reserved for information prescribed in paragraph (c) (2), (3), and (5) of this section, equal to not more than 20 percent of the circumference.

(3) In the case of a container of any other shape, 40 percent of the total surface of the container.

e. Any descriptive designation used as a product name for a product which has no common or usual name shall clearly and completely identify the product. Product which has been prepared by salting, smoking, drying, cooking, chopping or otherwise shall be so described on the label unless the name of the product implies, or the manner of packaging shows that the product was subjected to such preparation. The unqualified terms "meat," "meat byproduct," "meat food product," and terms common to the meat industry but not common to consumers such as "picnic," "butt," "cala," "square," "loaf," "spread," "delight," "roll," "plate," "luncheon," and "daisy" shall not be used as names of a product unless accompanied with terms descriptive of the product or with a list of ingredients, as deemed necessary in any specific case by the Chief in order to assure that the label will not be false or misleading.

f. (1) The list of ingredients shall show the common or usual names of the ingredients arranged in the descending order of predominance, except as otherwise provided in this paragraph.

(i) The term "flavorings" may be used to designate natural spices, essential oils, oleoresins and other natural spice extractives, and the term "spices" may be used to designate natural spices, without naming each.

(ii) The term "corn syrup" may be used to designate either corn syrup or corn syrup solids.

(iii) The term "animal and vegetable fats" or "vegetable and animal fats" may be used to designate the ingredients of mixtures of such edible fats in product designated "compound" or "shortening." "Animal fats" as used herein means fat derived from inspected and passed cattle, sheep, swine, or goats.

(iv) When a product is coated with pork fat, gelatin, or other approved substance and a specific declaration of such coating appears contiguous to the name of the product, the ingredient statement need not make reference to the ingredients of such coating.

(v) When two meat ingredients comprise at least 70 percent of the meat and meat byproduct ingredients of a formula and when neither of the two meat ingredients is less than 30 percent by weight of the total meat and meat byproducts used, such meat ingredients may be interchanged in the formula without a change being made in the ingredients statement on a labeling materials: Provided, that the word "and" in lieu of a comma shall be shown between the declaration of such meat ingredients in the statement of ingredients.

(2) On containers of frozen dinners, entrees, pizzas, and similarly consumer packaged products in cartons the ingredient statement may be placed on the front riser panel: Provided, that the words "see ingredients" followed immediately by an arrow is placed on the principal display panel immediately above the location of such statement without intervening print or designs.

g. (1) The name of the person that prepared the product or the name of the operator of the official establishment where the product is prepared by a subsidiary or tenant of the operator may appear as the name of the manufacturer or packer without qualification on the label. Otherwise the name of the distributor of the product shall be shown with a phrase such as "prepared for * * *" or "Distributed by * * *." The place of business of the manufacturer, packer, or distributor shall be shown on the label by Island and postal ZIP code when such business is listed in a telephone directory; and if not listed in such directory then the place of business shall be shown by street address, Island and postal ZIP code.

(2) The name and place of business of the manufacturer, packer, or distributor may be shown:

- (i) On the principal display panel or
- (ii) On the 20 percent panel adjacent to the principal display panel reserved for required information or
- (iii) On the front riser panel of frozen food cartons.

h. (1) The statement of net quantity of contents shall appear on the principal display panel of all containers to be sold at retail intact and shall appear on all containers in conspicuous and easily legible boldface print or type in distinct contrast to other matter on the package and

shall be declared in accordance with the provisions of subparagraphs (2) through (10) of this paragraph.

(2) The statement as it is shown on a label shall not be false or misleading and shall express an accurate statement of the quantity of contents of the container exclusive of wrappers and packing substances. Reasonable variations caused by loss or gain of moisture during the course of good distribution practices or by unavoidable deviations in good manufacturing practice will be recognized. Variations from stated quantity of contents shall not be unreasonably large.

(3) The Statement shall be placed on the principal display panel within the bottom 30 percent of the area of the panel in lines generally parallel to the base: Provided, that on packages having a principal display panel of 5 square inches or less, the requirement for placement within the bottom 30 percent of the area of the panel shall not apply when the statement meets the other requirements of this paragraph (h): In any case, the statement may appear in more than one line. The terms "net weight" or "net wt." shall be used when stating the net quantity of contents in terms of weight, and the term "net contents" or "content" when stating the net quantity of contents in terms of fluid measure.

(4) Except as provided in Section 116.7, the statement shall be expressed in terms of avoirdupois weight or liquid measure. Where no general consumer usage to the contrary exists, the statement shall be in terms of liquid measure, if the product is liquid, or in terms of weight if the product is solid, semisolid viscous or a mixture of solid and liquid. For example, a declaration of 3/4-pound avoirdupois weight shall be expressed as "Net Wt. 12 oz." except as provided for in subparagraph (5) of this paragraph for random weight packages; a declaration of 1 1/2 pounds avoirdupois weight shall be expressed as "Net Wt. 24 oz. (1 lb. 8 oz.)," "Net Wt. 24 oz. (1 1/2 lb.)," or "Net Wt. 24 oz. (1.5 lbs.)."

(5) On packages containing 1 pound or 1 pint and less than 4 pounds or 1 gallon, the statement shall be expressed as a dual declaration both in ounces and (immediately thereafter in parenthesis) in pounds, with any remainder in terms of ounces or common or decimal fraction of the pound, or in the case of liquid measure, in the largest whole units with any remainder in terms of fluid ounces or common or decimal fractions of the pint or quart, except that on random weight packages the statement shall be expressed in terms of pounds and decimal fractions of the pound carried out to not more than two decimal places, for packages over 1 pound, and for packages which do not exceed 1 pound the statement may be in decimal fractions of the pound in lieu of ounces.

(6) The statement shall be in letters and numerals in type size established in relationship to the area of the principal display panel of the package and shall be

uniform for all packages of substantially the same size by complying with the following type specifications:

(i) Not less than one-sixteenth inch in height on packages, the principal display panel of which has an area of 5 square inches or less;

(ii) Not less than one-eighth inch in height on packages, the principal display panel of which has an area of more than 5 but not more than 25 inches;

(iii) Not less than three-sixteenths inch in height on packages, the principal display panel of which has an area of more than 25 but not more than 100 square inches;

(iv) Not less than one-quarter inch in height on packages, the principal display panel of which has an area of more than 100 but not more than 400 square inches.

(v) Not less than one-half inch in height on packages, the principal display panel of which has an area of more than 400 square inches.

(7) The ratio of height to width of letters and numerals shall not exceed a differential of 3 units to 1 unit (no more than 3 times as high as it is wide). Heights pertain to upper case or capital letters. When upper and lower case or all lower case letters are used, it is the lower case letter "o" or its equivalent that shall meet the minimum standards. When fractions are used, each component numeral shall meet one-half the height standards.

(8) The statement shall appear as a distinct item on the principal display panel and shall be separated by a space at least equal to the height of the lettering used in the statement from other printed label information appearing above or below the statement and by a space at least equal to twice the width of the letter "N" of the style of type used in the quantity of contents statement from other printed label information appearing to the left or right of the statement. It shall not include any term qualifying a unit of weight, measure, or count such as, "jumbo quart," "full gallon," "giant quart," "when packed," "Minimum" or words of similar import.

(9) The following exemptions from the requirements contained in this paragraph (h) are hereby established:

(i) Individually wrapped and labeled packages of less than ½-ounce net weight which are in a shipping container, need not bear a statement of net quantity of contents as specified in this paragraph (h) when the statement of net quantity of contents on the shipping container meets the requirements of this paragraph (h);

(ii) Random weight consumer size packages bearing labels declaring net weight, price per pound, and total price,

shall be exempt from the type size, dual declaration and placement requirements of this paragraph (h), if an accurate statement of net weight is shown conspicuously on the principal display panel of the package.

(iii) Margarine in 1 pound rectangular packages (except packages containing shipped or soft margarine or packages that contain more than four sticks) is exempt from the requirements of subparagraphs (3) and (5) of this paragraph regarding the placement of the statement of the net quantity of contents within the bottom 30 percent of the principal display panel and that the statement be expressed both in ounces and in pounds, if the statement appears as "1 pound" or "one pound" in a conspicuous manner on the principal display panel.

(iv) Sliced shingle packed bacon in rectangular packages containing 8 ounces, 1 pound, or 2 pounds are exempt from the requirements of subparagraphs (3) and (5) of this paragraph regarding the placement of the statement of the net quantity of contents within the bottom 30 percent of the principal display panel and that the statement be expressed both in ounces and in pounds if the statement appears as "8 oz.," "½ pound," "1 pound," "one pound," "2 pounds" or "two pounds," as the case may be, in a conspicuous manner on the principal display panel.

(10) Labels for containers which bear any representation as to the number of servings contained therein shall bear, contiguous to such representation, and in the same size type as is used for such representation, a statement of the net quantity of each such serving.

(11) As used in this section a "random weight package" is one which is one of a lot, shipment, or delivery of packages of the same product with varying weights and with no fixed weight pattern.

(12) On a multiunit retail package, a statement of the net quantity of contents shall appear on the outside of the package and shall include the number of individual units, the quantity of each individual unit, and, in parentheses, the total net quantity of contents of the multiunit package in terms of avoirdupois or fluid ounces, except that such declaration of total quantity need not be followed by an additional parenthetical declaration in terms of the largest whole units and subdivisions thereof, as required by subparagraph (5) of this paragraph. For the purposes of this section, "multiunit retail package" means a package containing two or more individually packaged units of the identical commodity and in the same quantity, with the individual packages intended to be sold as part of the multiunit retail package but capable of being individually sold in full compliance with all requirements of the regulations in this part. Open multiunit retail packages do not obscure the number of units and the labeling thereon are not subject to this paragraph if the labeling of each individual unit complies with the requirements of subparagraphs (2), (3), (6), and (8) of this paragraph.

(13) Shingle packed sliced bacon cartons containing product weighing other than 8 ounces, 1 pound, or 2 pounds shall have the statement of the net quantity of contents shown with the same prominence as the most conspicuous feature on the label and printed in a color of ink contrasting sharply with the background.

i. (1) The official establishment number shall be either embossed or lithographed on all hermetically sealed metal, plastic or glass containers of products fully processed within such containers in an official establishment, except that such containers which bear labels lithographed directly on the container and in which the establishment number is incorporated need not have the establishment number separately embossed or lithographed thereon. Labels shall not be affixed to containers so as to obscure the embossed or lithographed establishment number.

(2) When any product is placed in a carton or in a wrapper of paper or cloth or in any other type of container approved by the Chief, which is labeled in accordance with this part, the official inspection legend and the official establishment number as specified in paragraph (c) of this section, may be applied by means of a sticker to be securely and prominently affixed, along with the name of product, at a place on the label reserved for the purpose. In case there are two or more display panels featuring the name of product, the inspection sticker shall be affixed to each panel.

(3) The official establishment number may be omitted from the official inspection legend cartons used as outer containers of edible fats, such as lard and oleomargarine, when such products are enclosed in wrappers which bear an official inspection legend containing the official establishment number.

(4) The official establishment number may be omitted from the official inspection legend on the immediate containers of sliced bacon, frozen dinners and pies, and similarly packaged products when the official establishment number is placed on an end panel at the time of packaging and when it is presented on a single colored background in a prominent and legible manner in a size sufficient to insure easy recognition.

(5) The official establishment number may be omitted from the official inspection legend on consumer size packages of sliced meat food products when the official establishment number is printed on the label at the time of packaging and when it is presented on a single colored background in a prominent and legible manner in a size sufficient to insure easy recognition.

(6) The official establishment number may be omitted from the official inspection legend on consumer size containers of meat food products in aluminum pans or trays when the official establishment number is embossed in such pans or trays and when a statement such as

"Est. No. on Pan" is placed contiguous to the official inspection legend on the container.

(7) The official establishment number may be omitted from the official inspection legend printed on artificial casings or bags enclosing meat food products when the official establishment number is etched in ink on a flat surface of a metal clip used to close the container in a prominent and legible manner in a size sufficient to insure easy recognition and when a statement, such as, "Est. No. on Metal Clip" is placed contiguous to the official inspection legend on the casing or bag.

(8) The official establishment number may be omitted from the official inspection legend printed on paper labels of canned products when the official establishment number is printed on the principal display panel at the time of labeling the container, or the official establishment number may be printed on the back of the paper label when the statement "Est. No. on Back of Label" is printed contiguous to the official legend, in a prominent and legible manner in a size sufficient to insure easy recognition.

j. Labels of any product within any of the following paragraphs shall show the information required by such paragraph for such product:

(1) A label for product which is an imitation of another food shall bear the word "imitation" immediately preceding the name of the food imitated and in the same size and style of lettering as in that name and immediately thereafter the word "ingredients" and the names of the ingredients arranged in the order of their predominance.

(2) If a product purports to be or is represented for any special dietary use by man, its label shall bear a statement concerning its vitamin, mineral, and other dietary properties upon which the claim for such use is based in whole or in part and shall be in conformity with regulations.

(3) When an approved artificial smoke flavoring or an approved smoke flavoring is added as an ingredient in the formula of a meat food product, as permitted in Part 117 of this chapter, there shall appear on the label, in prominent letters and contiguous to the name of the product, a statement such as "artificial Smoke Flavoring Added" or "Smoke Flavoring Added," as may be applicable, and the ingredient statement shall identify any artificial smoke flavoring so added as an ingredient in the formula of the meat food product.

(4) When any other artificial flavoring is permitted under Part 117 of this chapter to be added to a product, the ingredient statement shall identify it as "Artificial Flavoring."

(5) When artificial coloring is added to edible fats as permitted under Part 117 of this chapter such substance shall be declared on the label in a prominent manner and contiguous to the name of the product by the words "Artificially colored" or "Artificial coloring added" or "With added artificial coloring." When natural coloring such as annatto is added to edible fats as permitted under Part 117 of this chapter, such substance shall be declared on the label in the same manner by a phrase such as "Colored with annatto."

(6) When product is placed in a casing to which artificial coloring is applied as permitted under Part 117 of this chapter, there shall appear on the label, in a prominent manner and contiguous to the name of the product, the words, "Artificially colored."

(7) If a casing is removed from product at an official establishment and there is evidence of artificial coloring on the surface of the product, there shall appear on the label, in a prominent manner and contiguous to the name of product, the words "Artificially colored."

(8) When a casing is colored prior to its use as a covering for product and the color is not transferred to the product enclosed in the casing, no reference to color need appear on the label but no such casing may be used if it is misleading or deceptive with respect to color, quality, or kind of product, or otherwise.

(9) Product which bears or contains any other artificial coloring, as permitted under Part 117 of this chapter, shall bear a label stating that fact on the immediate container or if there is none, on the product.

(10) When an antioxidant is added to product as permitted under Part 117 of this chapter, there shall appear on the label in prominent letters and contiguous to the name of the product, a statement identifying the officially approved specific antioxidant by its common name or abbreviation thereof and the purpose for which it is added, such as "BHA, BHT, and Propylgallate added to help protect flavor."

(11) Containers of meat packed in borax or other preservative for export to a foreign country which permits the use of such preservative shall, at the time of packing, be marked "for export," followed on the next line by the words "packed in preservative," or such equivalent statement as may be approved for this purpose by the Chief and directly beneath this there shall appear the word "establishment" or abbreviation thereof, followed by the number of the establishment at which the product is packed. The complete statement shall be applied in a conspicuous location and in letters not less than 1 inch in height.

(12) Containers of other product packed in, bearing or containing any chemical preservative shall bear a label stating that fact.

k. Packaged products which require special handling to maintain their wholesome condition shall have prominently displayed on the principal display panel of the label the statement: "Keep Refrigerated," "Keep Frozen," "Perishable Keep Under Refrigeration," or such similar statement as the Chief may approve in specific cases. Products that are distributed frozen during distribution and thawed prior to or during display for sale at retail shall bear the statement on the shipping container: "Keep Frozen." The consumer-size containers for such products shall bear the statement "Previously Handled Frozen for Your Protection. Refreeze or Keep Refrigerated." For all perishable canned products the statement shall be shown in upper case letters one-fourth inch in height for containers having a net weight of 3 pounds or less, and for containers having a net weight over 3 pounds, the statement shall be in upper case letters at least one-half inch in height.

116.3 Approval of Abbreviations of Marks of Inspection; Preparation of Marking Devices Bearing Inspection Legend Without Advance Approval Prohibited; Exception.

a. The Chief may approve and authorize the use of abbreviations of marks of inspection under the regulations in this chapter. Such abbreviations shall have the same force and effect as the respective marks for which they are authorized abbreviations.

b. Except for the purpose of submitting a sample or samples of the same to the Chief for approval, no person shall procure, make, or prepare, or cause to be procured, made, or prepared, labels, brands, or other marking devices bearing the inspection legend or any abbreviations, copy or representation thereof, for use on any product without the written authority therefor of the Chief. However, when any sample label, brand, or other marking device is approved by the Chief, new supplies of such labels and new brands and other marking devices of a character exactly similar to such approved sample may be procured, made, or prepared, for use in accordance with the regulations in this chapter, without further approval by the Chief.

116.4 Labels to be Approved by Chief.

a. Except as provided in paragraph (d) of this section no label shall be used on any product until it has been approved in its final form by the Chief. For the convenience of the establishment sketches or proofs of new labels may be submitted in triplicate through the officer in charge to the Program for approval and the preparation of finished labels deferred until such approval is obtained. All finished labels shall be submitted in quadruplicate through the officer in charge to the Program for approval.

b. In case of lithographed labels, paper takeoffs in lieu of sections of the metal containers shall be submitted for approval. Such paper takeoffs shall not be in the form of a negative but shall be a complete reproduction of

the label as it will appear on the package, including any color scheme involved. In case of fiber containers, printed layers, such as the kraft paper sheet, shall be submitted for approval in lieu of the complete container.

c. Inserts, tags, liners, pasters, and like devices containing printed or graphic matter and for use on, or to be placed within, containers and coverings of product shall be submitted for approval in the same manner as provided for labels in paragraph (a) of this section, except that officers in charge may permit use of such devices which contain no reference to product and bear no misleading feature.

d. Stencils, labels, box dies, and brands may be used on shipping containers and on such immediate containers as tierces, barrels, drums, boxes, crates, and large-size fiberboard containers provided the markings are applicable to the product, are not false or deceptive, and are used with the approval of the officer in charge. The inspection legend for use in combination with such markings shall be approved by the Chief.

116.5 Officer in Charge May Permit Modifications of Approved Labels. The officer in charge may permit modification of approved labels or markings, under the following circumstances, provided the labeling or marking as modified is so used as not to be false or misleading:

a. When all features of the label or marking are proportionately enlarged and the color scheme remains the same;

b. When there is substitution of such abbreviations as "lb." for "pound," or "oz." for "ounce," or the word "pound" or "ounce" is substituted for the abbreviation;

c. When a master or stock label has been approved from which the name and address of the distributor are omitted and such name and address are applied before being used (in such case, the words "prepared for" or similar statement must be shown together with the blank space reserved for the insertion of the name and address when such labels are offered for approval);

d. When, during Christmas and other holiday seasons, wrappers or other covers bearing floral or foliage designs or illustrations of rabbits, chicks, fireworks, or other emblematic holiday designs are used with approved labels or markings. (The use of such designs will not make necessary the application of labeling not otherwise required);

e. When there is a slight change in arrangement of directions pertaining to the opening of cans or the serving of the product;

f. When there is a change in the quantity of an ingredient shown in the formula without a change in the order of predominance shown on the label: Provided, that the change in quantity of ingredients complies with

any minimum or maximum limits for the use of such ingredients prescribed in Parts 117 and 118 of this chapter.

116.6 Approved Labels to be Used Only on Products to Which They are Applicable. Labels shall be used only on products for which they are approved, and only if they have been approved for such products in accordance with Section 116.3: Provided, that existing stocks of labels approved prior to the effective date of this section and the quantity of which has been identified to the officer in charge as being in storage on said date at the official establishment or other identified warehouse for the account of the operator of the official establishment may be used until such stocks are exhausted, but not later than 1 year after the effective date of this section unless such labels conform to all the requirements of this part and Part 118 of this chapter. The Chief may upon the show of good cause grant individual extension of the time as he deems necessary.

116.7 Products for Foreign Commerce; Printing Labels in Foreign Language Permissible; Other Deviations. Labels to be affixed to packages of products for foreign commerce may be printed in a foreign language and may show the statement of the quantity of contents in accordance with the usage of the country to which exported and other deviations from the form of labeling required under this part may be approved for such product by the Chief in specific cases: Provided,

a. That the proposed labeling accords to the specifications of the foreign purchaser.

b. That it is not in conflict with the laws of the country to which the product is intended for export, and

c. That the outside container is labeled to show that it is intended for export. The inspection legend and the establishment number shall in all cases appear literally translated in a foreign language.

116.8 False or Misleading Labeling or Practices Generally; Specific Prohibitions and Requirements for Labels and Containers.

a. No product or any of its wrappers, packaging, or other containers shall bear any false or misleading marking, label, or other labeling and no statement, word, picture, design, or device which conveys any false impression or gives any false indication of origin or quality or is otherwise false or misleading shall appear in any marking or other labeling. No product shall be wholly or partly enclosed in any wrapper, packaging, or other container that is so made, formed, or filled as to be misleading.

b. The labels and containers of product shall comply with the following provisions as applicable:

(1) Terms having geographical significance with reference to a locality other than that in which the product is prepared may appear on the label only when qualified by the word "style," "type," or "brand," as the case may be, in the same size and style of lettering as in the geographical term, and accompanied with a prominent qualifying statement identifying the country or locality in

which the product is prepared, using terms appropriate to effect the qualification. When the word "style" or "type" is used, there must be a recognized style or type of product identified with and peculiar to the area represented by the geographical term and the product must possess the characteristics of such style or type, and the word "brand" shall not be used in such a way as to be false or misleading. Provided, that a geographical term which has come into general usage as a trade name and which has been approved by the Chief as being a generic term may be used without the qualifications provided for in this paragraph. The terms "frankfurter," "vienna," "bologna," "lebanon bologna," "braunschweiger," "thuringer," "genoa," "leona," "berliner," "holstein," "goteborg," "milan," "polish," and their modifications, as applied to sausages, the terms "brunswick" and "irish" as applied to stews and the term "boston" as applied to pork shoulder butts need not be accompanied with the word "style," "type," or "brand" or a statement identifying the locality in which the product is prepared.

(2) Such terms as "farm" or "country" shall not be used on labels in connection with products unless such products are actually prepared on the farm or in the country. Provided, that if the product is prepared in the same way as on the farm or in the country these terms, if qualified by the word "style" in the same size and style of lettering, may be used. Provided further, that the term "farm" may be used as part of a brand designation when qualified by the word "brand" in the same size and style of lettering, and followed with a statement identifying the locality in which the product is prepared. Sausage containing cereal shall not be labeled "farm style" or "country style," and lard not rendered in an open kettle shall not be designated as "farm style" or "country style."

(3) The requirement that the label shall contain the name and place of business of the manufacturer, packer, or distributor shall not relieve any establishment from the requirement that its label shall not be misleading in any particular.

(4) The term "spring lamb" or "genuine spring lamb" is applicable only to carcasses of new-crop lambs slaughtered during the period beginning in March and terminating not beyond the close of the week containing the first Monday in October.

(5) Coverings shall not be of such color, design, or kind as to be misleading with respect to color, quality, or kind of product to which they are applied. For example, transparent or semitransparent coverings for such articles as sliced bacon or fresh (uncooked) meat and meat food products shall not bear lines or other designs of red or other color which give a false impression of leanness of the product. Transparent or semitransparent wrappers, casings, or coverings for use in packaging cured, cured and smoked, or cured and cooked sausage products, and sliced ready-to-eat meat food products may be color tinted or bear red designs on 50 percent of such wrapper or covering. Provided, that the transparent or semitransparent portion of the principal display panel is free of color tinting and red designs. And provided further, that the principal display panel provides at least

20 percent in one area so that the true nature and color of the product is visible to the consumer.

(6) The word "fresh" shall not be used on labels to designate product which contains any sodium nitrate, potassium nitrate, or potassium nitrite, or which has been salted for preservation.

(7) No ingredient shall be designated on the label as a spice, flavoring, or coloring unless it is a spice, flavoring, or coloring, as the case may be, within the meaning of such term as commonly understood by consumers. The term "spice" shall be shown for all natural spices. An ingredient which is both a spice and a coloring, or both a flavoring and coloring, shall be designated as "spice and coloring," or "flavoring and coloring," as the case may be, unless such ingredient is designated by its specific name.

(8) As used on labels of product, the term "gelatin" shall mean (i) the jelly prepared in official establishments by cooking pork skins, tendons, or connective tissue from inspected and passed product, and (ii) dry commercial gelatin or the jelly resulting from its use.

(9) Product (other than canned product) labeled with the term "loaf" as part of its name:

(i) If distributed from the official establishment in consumer size containers may be in any shape;

(ii) If distributed in a container of a size larger than that sold intact at retail the product shall be prepared in rectangular form, or as in subdivision (iii) of this paragraph;

(iii) If labeled as an "Old Fashioned Loaf" shall be prepared in a traditional form, such as rectangular with rounded top or circular with flat bottom and rounded top.

(10) The term "baked" shall apply only to product which has been cooked by the direct action of dry heat and for a sufficient time to permit the product to assume the characteristics of a baked article, such as the formation of a brown crust on the surface, rendering out of surface fat, and the caramelization of the sugar if applied. Baked loaves shall be heated to a temperature of at least 160° F. and baked pork cuts shall be heated to an internal temperature of at least 170° F.

(11) When products such as loaves are browned by dipping in hot edible oil or by a flame, the label shall state such fact, e.g., by the words "Browned in Hot Cottonseed Oil" or "Browned by a Flame," as the case may be, appearing as part of the product name.

(12) The term "meat" and the names of particular kinds of meat, such as beef, veal, mutton, lamb, and pork, shall not be used in such manner as to be false or misleading.

(13) (i) The word "ham," without any prefix indicating the species of animal from which derived, shall be used in labeling only in connection with the hind legs of swine. Ham shanks as such or ham shank meat as such or the trimmings accruing in the trimming and shaping of

hams shall not be labeled "ham" or hams shall not be labeled "ham" or "ham meat" without qualification. When used in connection with a chopped product the term "ham" or "ham meat" shall not include the skin.

(14) The terms "shankless" and "hockless" shall apply only to hams and pork shoulders from which the shank or hock has been completely removed, thus eliminating the entire tibia and fibula, or radius and ulna, respectively, together with the overlying muscle, skin, and other tissue.

(15) Such terms as "meat extract" or "extract of beef" without qualification shall not be used on labels of connection with products prepared from organs or other parts of the carcass, other than fresh meat may be properly labeled as extracts with the true name of the parts from which prepared. In the case of extract in fluid form, the word "fluid" shall also appear on the label, as, for example, "fluid extract of beef."

(16) When cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, isolated soy protein, dried milk, nonfat dry milk, or calcium reduced dried skim milk is added to sausage within the limits prescribed in Part 118 of this chapter, there shall appear on the label in a prominent manner, contiguous to the name of the product, the name of each such added ingredient as, for example, "Cereal Added," "With cereal," "Potato Flour Added," "Cereal and Potato Flour Added," "Soy Flour Added," "Soy Protein Concentrate Added," "Isolated Soy Protein Added," "Nonfat Dry Milk Added," "Calcium Reduced Dried Skim Milk Added," as the case may be.

(17) When any product is enclosed in a container along with a packing substance such as brine, vinegar, or agar jelly, a declaration of the packing substance shall be printed prominently on the label as part of the name of the product, as for example, "frankfurts packed in brine," "lamb tongue packed in vinegar," or "beef tongue packed in agar jelly," as the case may be. The packing substance shall not be used in such a manner as will result in the container being so filled as to be misleading.

(18) "Leaf lard" is lard prepared from fresh leaf fat.

(19) When lard or hardened lard is mixed with rendered pork fat or hardened rendered pork fat, the mixture shall be designated as "rendered pork fat" or "hardened rendered pork fat," as the case may be.

(20) Oil, stearin, or stock obtained from beef or mutton fats rendered at a temperature above 170°F. shall not be designated as "oleo oil," "oleo stearin," or "oleo stock," respectively.

(21) When not more than 20 percent of beef fat, mutton fat, oleo stearin, vegetable stearin, or hardened vegetable fat is mixed with lard or with rendered pork fat, there shall appear on the label, contiguous to and in the same size and style of lettering as the name of the product, the words "beef fat added," "mutton fat added," "oleo stearin

added," "vegetable stearin added," or "hardened vegetable fat added," as the case may be. If more than 20 percent is added, the product name shall refer to the particular animal fat or fats used, such as, "Lard and Beef Fat." The designation "vegetable fat" is applicable to vegetable oil, vegetable stearin, or a combination of such oil and stearin, whereas the designations "vegetable oil" and vegetable stearin" shall be applicable only to the oil and the stearin respectively, when used in meat food products.

(22) Cooked, cured, or pickled pigs feet, pigs knuckles, and similar products, shall be labeled to show that the bones remain in the product, if such is the case. The designation "semi-boneless" shall not be used if less than 50 percent of the total weight of bones has not been removed.

(23) When monoglycerides, diglycerides, and/or polyglycerol esters of fatty acids are added to rendered animal fat or a combination of such fat and vegetable fat, there shall appear on the label in a prominent manner and contiguous to the name of the product a statement such as "With Monoglycerides and Diglycerides Added," or "With Diglycerides and Monoglycerides," or "With Polyglycerol Esters of Fatty Acids" as the case may be.

(24) Colored oleomargarine or colored margarine packed for retail sale shall be in containers not exceeding 1-pound capacity, labeled as follows:

(i) The word "oleomargarine" or "margarine" shall appear on each principal display panel of the container in type of lettering at least as large and in at least the same prominence as any other type of lettering appearing on such container.

(ii) A full and accurate statement of all the ingredients contained in such oleomargarine or margarine shall be prominently and informatively displayed contiguous to the word "oleomargarine" or "margarine" wherever such word is featured on the container. The ingredients shall be shown by their common or usual name and be arranged in the order of their predominance. Collective terms such as "animal fat" and "vegetable fat" shall not be used but the specific fat, oil, or stearin shall be shown.

(iii) Each part of the contents of the container shall be enclosed in a wrapper bearing the word "oleomargarine" or "margarine" in type or lettering not smaller than 20-point type.

(iv) Wrapped quarter pound sticks or similar units of such oleomargarine or margarine packaged together in a container may constitute units for retail sale and they shall be individually wrapped and labeled in accordance with subdivisions (i), (ii), and (iii) of this subparagraph.

(25) When approved proteolytic enzymes as permitted in Part 117 of this chapter are used on steaks or other meat cuts in an official establishment, there shall appear on the label contiguous to the product name, a prominent

descriptive statement, such as "Dipped in a solution of Papain," to indicate the use of such enzymes.

(26) When dimethylpolysiloxan is added as an antifoaming agent to rendered fats, its presence shall be declared on the label contiguous to the name of the product. Such declaration shall read "Dimethylpolysiloxan Added."

(27) When pizzas are formulated with crust containing calcium propionate or sodium propionate, there shall appear on the label contiguous to the name of the product the statement ".....added to retard spoilage of crust" preceded by the name of the preservative.

(28) Sausage of the dry varieties treated with potassium sorbate or propylparaben propyl p-hydroxybenzoate) as permitted by Part 117 of this chapter, shall be marked or labeled with a statement disclosing such treatment and the purpose thereof, such as "dipped in a potassium sorbate solution to retard mold growth."

116.9 Reuse of Official Inspection Marks; Reuse of Containers Bearing Official Marks, Labels, etc.

a. No official inspection legend or other official mark which has been previously used shall be used again for the identification of any product, except as provided for in paragraph (b) of this section.

b. All stencils, marks, labels, or other labeling on previously used containers, whether relating to any product or otherwise shall be removed or obliterated before such containers are used for any product, unless such labeling correctly indicates the product to be packed therein and such containers are refilled under the supervision of a Program employee.

116.10 Labeling, Filling of Containers, Handling of Labeled Products to be Only in Compliance With Regulations.

a. No person shall in any official establishment apply or affix, or cause to be applied or affixed, any label to any product prepared or received in such establishment, or to any container thereof, or fill any container at such an establishment, except in compliance with the regulations in this chapter.

b. No covering or other container shall be filled, in whole or in part, at any official establishment with any product unless it has been inspected and passed in compliance with the regulations in this chapter, is not adulterated, and is strictly in accordance with the statements on the label, and such filling is done under the supervision of a Program employee.

c. No person shall remove, or cause to be removed from an official establishment any product bearing a label unless such label is in compliance with the regulations in this chapter, or any product not bearing a label required by such regulations.

116.11 Relabeling Products; Requirements. When it is claimed by an official establishment that any of its products which bore labels bearing official marks has been transported to a location other than an official establishment, and it is desired to relabel the product because the labels have become mutilated or otherwise damaged, a request for relabeling the product shall be sent to the Chief, accompanied with a statement of the reasons therefor. Labeling material intended for relabeling inspected and passed product shall not be transported from an official establishment until permission has been received from the Chief. The relabeling of inspected and passed product with labels bearing any official marks shall be done under the supervision of a Program inspector. The official establishment shall reimburse the Program, in accordance with the regulations of the Division, for any cost involved in supervising the relabeling of such product.

116.12 Storage and Distribution of Labels and Containers Bearing Official Marks.

Labels, wrappers, and containers bearing any official marks, with or without the establishment number, may be transported from one official establishment to any other official establishment provided such shipments are made with the prior authorization of the officer in charge at point of origin, who will notify the officer in charge at destination concerning the date of shipment, quantity, and type of labeling material involved. No such material shall be used at the establishment to which it is shipped unless such use conforms with the requirements of this subchapter.

116.13 Reporting of Obsolete Labels.

Once a year, or oftener if necessary, the operator of each official establishment shall submit to the Chief in quadruplicate, a list of approved labels no longer used or a list of the documents issued by the Chief approving the labels involved. The approved labels shall be identified by the approval number, the date of approval, and the name of the product, or other designation showing the class of labeling material.

116.14 Labeling and Containers of Custom Prepared Products.

a. Products that are custom prepared under Section 103.1 (a) (2) of this chapter must be packaged immediately after preparation and labeled (in lieu) of information otherwise required by this Part 116 with the following information in accordance with Section 116.2 conspicuously displayed on the principal display panel:

- (1) The words "Not for Sale" in lettering not less than three-eighths inch in height;
- (2) The name of the product;
- (3) The word "ingredients" followed by a list of ingredients, if the product is made from two or more ingredients;

(4) The name and place of business of the custom operator who prepared the product;

(5) An accurate statement of the quantity of contents;

(6) Handling instructions, if necessary, to insure that the public will be informed of the manner of handling required to maintain the product in a wholesome condition; and

(7) Any other information required to appear on the label, except the official inspection legend.

b. Such exempted custom prepared products shall not have false or misleading labeling on containers or be otherwise misbranded as defined in the regulations.

PART 117. ENTRY INTO OFFICIAL ESTABLISHMENTS: REINSPECTION AND PREPARATION OF PRODUCTS

117.1 Products and Other Articles Entering Official Establishments.

a. Except as otherwise provided in paragraph (g) and (h) of this section or Section 117.12, no product shall be brought into an official establishment unless it has been prepared only in an official establishment and previously inspected and passed by a Program employee, and is identified by an official inspection legend as so inspected and passed. Notwithstanding the foregoing provisions of this subparagraph, product imported and not prepared in the T.T. outside an official establishment, may enter any official establishment subject in other respects to the same restrictions as apply to domestic product. Products received in an official establishment during the Program employees absence shall be identified and maintained in a manner acceptable to such employee. Product entering any official establishment shall not be used or prepared thereat until it has been reinspected in accordance with Section 117.2. Any product originally prepared at any official establishment may not be returned into any part of such establishment, except the receiving area approved under Section 117.3, until it has been reinspected by the inspector.

b. No slaughtered poultry or poultry product shall be brought into an official establishment unless it has been (1) previously inspected and passed and is identified as such.

c. Every article for use as an ingredient in the preparation of meat food products, when entering any official establishment and at all times while it is in such establishment, shall bear a label showing the name of the article, the amount or percentage therein of any substances restricted by this part or Part 116 of this chapter, and a list of ingredients in the article if composed of two or more ingredients: Provided, that in the case of articles received in tank car lots, only one

such label shall be used to identify each lot. In addition, the label must show the name and address of the shipper.

d. Containers of preparations which enter any official establishment for use in cooling or retort water, in hog scalding water, or in denuding of tripe shall at all times while they are in such establishment bear labels showing the chemical names of the chemicals in such preparations. In the case of any preparation containing any chemicals which are specifically limited by Section 117.7 (b) (4) as to amount permitted to be used, the labels on the containers shall also show the percentage of each such chemical in the preparation.

e. Dyes, chemicals, or other substances the use of which is restricted to certain products may be brought into or kept in an official establishment only if such products are prepared thereat. No prohibited dye, chemical, preservative, or other substance shall be brought into or kept in an official establishment.

f. All isolated soy protein, when entering and while in any official establishment, must be labeled in accordance with and otherwise meet the requirements of Section 117.6 (b) (11).

g. Glands and organs, such as cotyledons, ovaries, prostate glands, tonsils, spinal cords, and detached lymphatic, pineal, pituitary, parathyroid, suprarenal, pancreatic and thyroid glands, used in preparing pharmaceutical, organotherapeutic, or technical products and which are not used as human food (whether or not prepared at official establishments) may be brought into and stored in edible product departments of inspected establishments if packaged in suitable containers so that the presence of such glands and organ will in no way interfere with the maintenance of sanitary conditions or constitute an interference with inspection. Glands or organ which are regarded as human food products, such as livers, testicles, and thymus glands, may be brought into official establishments for pharmaceutical, organotherapeutic or technical purposes, only if T.T. inspected and passed and so identified.

h. Carcasses of game animals, and carcasses derived from the slaughter by any person of livestock of his own raising and parts of such carcasses, may be brought into an official establishment for preparation, packaging, and storing in accordance with the provisions of Section 103.1 (a) (2) of this chapter.

i. The operator of the official establishment shall furnish such information as is necessary to determine the origin of any product or other article entering the official establishment. Such information shall include, but is not limited to, the name and address of the seller or supplier, transportation company, agent, or broker involved in the sale or delivery of the product or article in question.

j. Any product or any poultry or poultry product or other article that is brought into an official establishment contrary to any provision of this section may be required by the Chief to be removed immediately from such establishment by the operator thereof, and failure to comply with such requirement shall be deemed a violation of this regulation. If any slaughtered poultry or poultry products or other articles are received at an official establishment and are suspected of being adulterated or misbranded, the appropriate district authorities will be notified.

117.2 Reinspection, Retention, and Disposal of Meat and Poultry Products at Official Establishments.

a. All products and all slaughtered poultry and poultry products brought into any official establishment shall be identified by the operator of the official establishment at the time of receipt at the official establishment and shall be subject to reinspection by a Program employee at the official establishment in such manner and at such times as may be deemed necessary by the officer in charge to assure compliance with the regulations in this chapter.

b. All products, whether fresh, cured, or otherwise prepared, even though previously inspected and passed, shall be reinspected by Program employees as often as they may deem necessary in order to ascertain that they are not adulterated or misbranded at the time they enter or leave official establishments and that the requirements of the regulations in this chapter are complied with.

c. Reinspection may be accomplished through use of statistically sound sampling plans that assure a high level of confidence. The officer in charge shall designate the type of plan and the program employee shall select the specific plan to be used in accordance with instructions issued by the Chief.

d. A T.T. retained tag shall be placed by a Program employee at the time of reinspection at any official establishment on all products which are suspected on such reinspection of being adulterated or misbranded, and such products shall be held for further inspection. Such tags shall be removed only by authorized Program employees. When further inspection is made, if the product is found to be adulterated, all official inspection legends or other official marks for which the product is found to be ineligible under the regulations in this chapter, shall be removed or defaced and the product will be subject to condemnation and disposal in accordance with Part 113 of this chapter, except that a determination regarding adulteration may be deferred if a product has become soiled or unclean by falling on the floor or in any other accidental way or if the product is affected with any other condition which the inspector deems capable of correction, in which case the product shall be cleaned (including trimming if necessary) or otherwise handled in a manner approved by the inspector to assure that it will not be

adulterated or misbranded and shall then be presented for reinspection and disposal in accordance with this section. If upon final inspection, the product is found to be neither adulterated nor misbranded, the inspector shall remove the T.T. retained tag. If a product is found upon reinspection to be misbranded, it shall be held under a T.T. retained tag, or a T.T. detention tag as provided in this chapter, pending correction of the misbranding or issuance of an order to withhold from use the labeling or container of the product, or the institution of a judicial seizure action or other appropriate action. The inspector shall make a complete record of each transaction under this paragraph and shall report his action to the officer in charge.

117.3 Designation of Places of Receipt of Products and Other Articles for Reinspection. Every official establishment shall designate, with the approval of the officer in charge, a dock or place at which products and other articles subject to reinspection under Section 117.2 shall be received, and such products and articles shall be received only at such dock or place.

117.4 Preparation of Products to be Officially Supervised; Responsibilities of Official Establishments.

a. Except as provided in Section 103.1 (a) (2) of this chapter, all processes used in curing, pickling, rendering, canning, or otherwise preparing any product in official establishments shall be supervised by Program employees. No fixtures or appliances, such as tables, trucks, trays, tanks, vats, machines, implements, cans, or containers of any kind, shall be used unless they are of such materials and construction adulterated the product and are clean and sanitary. All steps in the preparation of edible products shall be conducted carefully and with strict cleanliness in rooms or compartments separate from those used for inedible product.

b. It shall be the responsibility of the operator of every official establishment to comply with the Act and the regulations in this chapter. In order to effectively carry out this responsibility the operator of the establishment shall institute appropriate control programs to assure the maintenance of the establishment and the preparation, marking, labeling, packaging and other handling of its products strictly in accordance with the sanitary and other requirements of this chapter. The efficiency of such control programs will be subject to review by a Program employee.

117.5 Requirements Concerning Procedures:

a. (1) Care shall be taken to assure that product is not adulterated when placed in freezers. If there is doubt as to the soundness of any frozen product, the inspector will require the defrosting and reinspection of a sufficient quantity thereof to determine its actual condition.

(2) Frozen product may be defrosted in water or pickle in a manner and with the use of facilities which are

acceptable to the inspector. Before such product is defrosted, a careful examination shall be made to determine its condition. If necessary, this examination shall include defrosting other than in water or pickle.

b. Product, such as pork tenderloins, brains, sweetbreads, stew, or chop suey, shall not be packed in hermetically sealed metal or glass containers, unless subsequently heat processed or otherwise treated to preserve the product in a manner approved by the Chief in specific cases.

c. Care shall be taken to remove bones and parts of bones from product which is intended for chopping.

d. Heads for use in the preparation of meat food products shall be split and the bodies of the teeth, the turbinate and ethmoid bones, ear tubes, and horn butts removed and the heads then thoroughly cleaned.

e. Kidneys for use in the preparation of meat food products shall first be freely sectioned and then thoroughly soaked and washed. All detached kidneys, including beef kidneys with detached kidney fat, shall be inspected before being used in or shipped from the official establishment.

f. Cattle paunches and hog stomachs for use in the preparation of meat food products shall be thoroughly cleaned on all surfaces and parts immediately after being emptied of their contents, which shall follow promptly their removal from the carcasses.

g. Clotted blood shall be removed from hog hearts before they are shipped from the official establishment or used in the preparation of meat food products.

h. Beef rounds, beef bungs, beef middles, beef bladders, calf rounds, hog bungs, hog middles, and hog stomachs which are to be used as containers of any meat food product shall be presented for inspection, turned with the fat surface exposed.

i. Portions of casings which show infection with oesophagostomum or other nodule-producing parasite, and weasands infected with the larvae of *Hypoderma lineatum*, shall be rejected, except that when the infestation is slight and the nodules and larvae are removed, the casing or weasand may be passed.

117.6 Requirements Concerning Ingredients and Other Articles Used in Preparation of Products.

a. All ingredients and other articles used in the preparation of any product shall be clean, sound, healthful, wholesome, and otherwise such as will not result in the product being adulterated. Official establishments shall furnish inspectors accurate information on all procedures involved in product preparation including product composition and any changes in such procedures essential for inspectional control of the product.

b. (1) The only animal casings that may be used as

containers of product are those from cattle, sheep, swine, or goats.

(2) Casings for products shall be carefully inspected by Program employees. Only those casings which have been carefully washed and thoroughly flushed with clean water immediately before stuffing and are suitable for containers, are clean, and are passed on such inspection shall be used, except that preflushed animal casings packed in salt or salt and glycerine solution or other approved medium may be used without additional flushing provided they are found to be clean and otherwise acceptable and are thoroughly rinsed before use.

(3) Hog and sheep casings intended for use as containers of product may be treated by soaking in or applying thereto sound, fresh pineapple juice or papain or bromelin or pancreatic extract to permit the enzymes contained in these substances to act on the casings to make them less resistant. The casings shall be handled in a clean and sanitary manner throughout and the treatment shall be followed by washing and flushing the casings with water sufficiently to effectively remove the substance used and terminate the enzymatic action.

(4) On account of the invariable presence of bone splinters, detached spinal cords shall not be used in the preparation of edible product other than for rendering where they constitute a suitable raw material.

(5) Testicles if handled as an edible product may be shipped from the official establishment as such, but they shall not be used as an ingredient of a meat food product.

(6) Tonsils shall be removed and shall not be used as ingredients of meat food products.

(7) Hog blood shall not be used as an ingredient of meat food products. No blood which comes in contact with the surface of the body of an animal or is otherwise contaminated shall be collected for food purposes. Only blood from animals, the carcasses of which are inspected and passed, may be used for meat food products. The defibrination of blood intended for food purposes shall not be performed with the hands.

(8) Intestines shall not be used as ingredients of meat food products.

(9) Poultry products and egg products (other than shell eggs) which are intended for use as ingredients of meat food products shall be considered acceptable for such use only when identified as having been inspected and passed for wholesomeness by the Division and when found to be sound and otherwise acceptable when presented for use. Poultry products and egg products (other than shell eggs) which have not been so inspected and passed for wholesomeness shall not be used in the preparation of such meat food products.

(10) Dry milk products which are intended for use as

ingredients of meat food products shall be considered acceptable for such use only when produced in a plant approved by the Division and when found to be sound and otherwise acceptable when presented in a plant not so approved shall not be used in the preparation of such meat food products.

(11) All isolated soy protein used in products prepared in any official establishment shall contain not more and not less than 0.1 percent titanium incorporated as food grade titanium dioxide, and the presence of such substance must be shown on the label of the container of the isolated soy protein at all times that the article is in the official establishments.

(12) Ingredients for use in any product may not bear or contain any pesticide chemicals or other residues in excess of levels permitted in Section 117.16.

117.7 Approval of Substances for use in the Preparation of Products.

a. (1) No chemical substance may be used in the preparation of any product unless it is approved in this part or Part 118 of this chapter or by the Chief in specific cases.

(2) No product shall bear or contain any substance which would render it adulterated or which is not approved in this part or Part 118 of this chapter or by the Chief in specific cases.

b. (Reserved)

c. Under appropriate declaration as required in Parts 115 and 116 of this chapter, the following substances may be added to products:

(1) Common salt, approved sugars [sucrose (cane or beet sugar), maple sugar, dextrose, invert sugar, honey, corn syrup, solids, corn syrup and glucose syrup], wood smoke, vinegar, flavorings, spices, sodium nitrate, sodium nitrite, potassium nitrite, and other substances specified in Part in subparagraph (4) of this paragraph may be added to products under conditions, if any, specified in this part or in Part 116 of this chapter.

(2) Other harmless artificial flavorings may be added to products with the approval of the Chief in specific cases.

(3) Coloring matter and dyes other than those specified in the chart in subparagraph (4) of this paragraph, may be applied to products, mixed with rendered fat, applied to natural and artificial casings, and applied to such casings enclosing products, if approved by the Chief in specific cases. When any coloring matter or dye is applied to casings, there shall be no penetration of coloring into the product. When any coloring matter or dye is added to meat fat shortening containing artificial flavoring, the product shall be packed in conventional, round shortening containers having a capacity no greater than 3 pounds.

(4) The substances specified in the following chart are acceptable for use in the preparation of products, provided they are used for the purpose indicated, within the limits of the amounts stated and under other conditions specified in this part and Part 116 of this chapter. In addition to the substances listed in the following chart, Part 118 of this chapter specifies other substances that are acceptable in preparing specified products.

d. No substance may be used in or on any product if it conceals damage or inferiority or makes the product appear to be better or of greater value than it is. Therefore:

(1) Paprika or oleoresin paprika may not be used in or on fresh meat, such as steaks, or comminuted fresh meat food products, such as chopped and formed steaks or patties; or in any other meat food products consisting of fresh meat (with or without seasoning), except chorizo sausage and Italian brand sausage, and except other meat food products in which paprika or oleoresin paprika is permitted as an ingredient in a standard of identity or composition in Part 118 of this chapter.

(2) Sorbic acid, calcium sorbate, sodium sorbate, and other salts of sorbic acid may not be used in cooked sausage or any other product; sulfurous acid and salts of sulfurous acid may not be used in or on any product and niacin or nicotinamide may not be used in or on fresh product; except that potassium sorbate, propylparaben (propyl p-hydroxybenzoate), calcium propionate, sodium propionate, benzoic acid, and sodium benzoate may be used in or on any product only as provided in the chart in Section 117.7 (c) (4) or as approved by the Chief in specific cases.

117.8 Tagging chemicals, preservatives, cereals, spices, etc., "Retained." When any chemical, preservative, cereal, spice or other substance is intended for use in an official establishment, it shall be examined by an inspector and if found to be unfit or otherwise unacceptable for the use intended, or if final decision regarding acceptance is deferred pending laboratory or other examination, the employee shall attach a "Retained" tag to the substance or container thereof. The substance so tagged shall be kept separate from other substances as the officer in charge may require and shall not be used until the tag is removed, and such removal shall be made only by an inspector after a finding that the substance can be accepted, or, in the case of an unacceptable substance, when it is removed from the establishment.

Samples of products, water, dyes, chemicals, preservatives, spices, or other articles in any official establishment shall be taken for examination as often as may be deemed necessary for the efficient conduct of the inspection.

117.9 Samples of products, water, dyes, chemicals, etc., to be taken for examination. Samples of products, water, dyes, chemicals, preservatives, spices, or other articles in any official establishment shall be taken for examination as often as may be deemed necessary for the efficient conduct of the inspection.

117.10 Pesticide chemicals and other Residues in products.

a. Nonmeat ingredients. Residues of pesticide chemicals, food additives and color additives or other substances in or on ingredients (other than meat, meat byproducts and meat food products) used in the formulation of products shall not exceed the levels permitted under the regulations and such nonmeat ingredients must otherwise be in compliance with the requirements under the regulations.

b. Products, and meat, meat byproducts or meat food product ingredients. Products, and products used as ingredients of products, shall not bear or contain any pesticide chemical, food additive, or color additive residue in excess of the level permitted under the regulations or any other substance that is prohibited by such regulations or that otherwise makes the products adulterated.

c. Standards and procedures. Instructions specifying the standards and procedures for determining when ingredients of finished products are in compliance with this section shall be issued to the inspectors by the Chief. Copies of such instructions will be made available to interested persons upon request made to the Chief.

PART 118. DEFINITIONS AND STANDARDS OF IDENTITY OR COMPOSITION

Subpart A-General

118.1 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 116 of this chapter, 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 chapter. 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 chapter.

118.2 Prescribed treatment of pork and products containing pork to destroy trichinae.

a. All forms of fresh pork, including fresh unsmoked sausage containing pork muscle tissue, and pork such as bacon and jowls, other than those covered by paragraph b. of this section, are classed as products that are customarily well cooked in the home or elsewhere before being served to the consumer. Therefore, the treatment of such products for the destruction of trichinae is not required.

b. Products named in this section, and products of the character thereof, containing pork muscle tissue (not including pork hearts, pork stomachs, and pork livers), or the pork muscle tissues which forms an ingredient of such products, shall be effectively heated, refrigerated, or cured

at inspected establishment to destroy any possible live trichinae: Bologna, frankfurters; viennas; smoked sausages; knoblach sausage; mortadella; all forms of summer or dried sausage including mettwurst; ground meat mixtures containing pork and beef, veal, lamb, mutton, or goat meat and prepared in such a manner that they might be eaten rare or without thorough cooking; flavored pork sausage such as those containing wine or similar flavoring materials; cured pork sausage; sausage containing cured and/or smoked pork; cooked loaves, roasted, baked, boiled, or cooked hams, pork shoulders, or pork shoulder picnics; Italian-style hams, Westphalian type hams; smoked boneless pork shoulder butts; cured meat rolls; capocollo (capicola, capicola); coppa; fresh or cured boneless pork shoulder butts, hams, loins, shoulders; shoulder picnics, and similar pork cuts, in casings or other containers in which ready-to-eat delicatessen articles are customarily enclosed (excepting Scotch-style hams); breaded pork products; cured boneless pork loins; boneless back bacon; bacon used for wrapping around patties, steaks and similar products; smoked pork cuts such as hams, shoulders, loins, and pork shoulder picnics. Cured boneless pork loins shall be subjected to prescribed treatment for destructions of trichinae prior to being shipped from the establishment where cured.

c. The treatment shall consist of heating, refrigerating, or curing as follows:

(1) Heating. (i) All parts of the pork muscle tissue shall be heated to a temperature of not lower than 137° F., and the method used shall be one known to insure such a result. On account of differences in methods of heating and in weights of products undergoing treatment it is impracticable to specify details of procedures of all cases.

(ii) Procedures which insure that proper heating of all parts of the product shall be adopted. It is important that each piece of sausage, each ham and other product treated by heating in water be kept entirely submerged throughout the heating period; and that the largest pieces in a lot, the inner-most links of bunched sausage or other massed articles, and pieces placed in the coolest part of the heating cabinet or compartment or vat be included in the temperature tests.

(2) Refrigerating. At any stage of preparation after preparatory chilling to a temperature of not above 40° F or preparatory freezing, all parts of the muscle tissue of pork or product containing such tissue shall be subjected continuously to a temperature not higher than one of those specified in Table 1, the duration of such refrigeration at the specified temperature being dependent on the thickness of the meat or inside dimensions of the container.

Table 1 -- Required period of freezing at temperature indicated.

Temperature °F.	Group 1 (Days)	Group 2 (Days)
5	20	30
-10	10	20
-20	6	12

(i) Group 1 comprises product in separate pieces not exceeding 6 inches in thickness, or arranged on separate racks with the layers not exceeding 6 inches in depth, or stored in crated or boxes not exceeding 6 inches in depth, or stored as solidly frozen blocks not exceeding 6 inches in thickness.

(ii) Group 2 comprises product in pieces, layers, or within containers, the thickness of which exceeds 6 inches but not 27 inches, and product in containers including tierces, barrels, kegs, and cartons having thickness not exceeding 27 inches.

(iii) The product undergoing such refrigeration or the containers thereof shall be so spaced while in the freezer as will insure a free circulation of air between the pieces of meat, layers, blocks, boxes, barrels, and tierces in order that the temperature of the meat throughout will be promptly reduced to not higher than 5°F., -10°F., or -20°F., as the case may be.

(iv) During the period of refrigeration the product shall be kept separate from other products and in the custody of the inspector. Rooms or compartments equipped for being made secure with Meat Inspection Service lock or seal shall be provided. The rooms or compartments containing product undergoing freezing shall be equipped with accurate thermometers placed at or above the highest level at which the product undergoing treatment is stored and away from refrigerating coils. After completion of the prescribed freezing of pork to be used in the preparation of product covered by paragraph b. of this section, the pork shall be kept under close supervision of an inspector until it is prepared in finished form as one of the products enumerated in paragraph b. of this section, or until it is transferred under inspectional control to another establishment for preparation in such finished form.

(v) Pork which has been refrigerated as specified may be transferred in sealed railroad cars, sealed motor trucks, sealed trailers, or sealed closed containers to another official establishment at the same or another station, for use in the preparation of product covered by paragraph b. of this section. The sealing of closed containers, such as boxes and slack barrels, shall be effected by cording and affixing thereto the Meat Inspection Service seals, and such containers as tierces and kegs shall be held in custody of an inspector by sealing with wax impressed with a Meat Inspection Service metal brand. Railroad cars, motor trucks, and trailers shall, when necessary, be sealed with Meat Inspection Service car seals. Properly sealed and marked closed containers may be shipped with other meat in unsealed railroad cars, motor trucks, and trailers. Containers such as boxes, barrels and tierces shall be plainly and

conspicuously marked with a label or stencil furnished by the establishment, as follows: "pork product * degrees F. day's refrigeration", indicating the temperature at which the product was refrigerated and the length of time so treated. For each consignment there shall be promptly issued and forwarded to the inspector in charge at destination a report entitled "Notice of Unmarked Meats Shipped in Sealed Cars", appropriately modified to show the character of the containers, and that the contents are "Pork product * degrees F. * day's refrigeration". A duplicate copy shall be retained in the station file.

(3) Curing. (i) Sausage. Sausage may be stuffed in animal casings, hydrocellulose casings, or cloth bags. During any stage of treating the sausage for the destruction of live trichinae, except as provided in Method 5 below, these coverings shall not be coated with paraffin or like substance, nor shall any sausage be washed during any prescribed period of drying. In the preparation of sausage, one of the following methods may be used:

Method No. 1. The meat shall be ground or chopped into pieces not exceeding three-fourths of an inch in diameter. A dry-curing mixture containing not less than 3 1/3 pounds of salt to each hundredweight of the unstuffed sausage shall be thoroughly mixed with the ground or chopped meat. After being stuffed, sausage having a diameter not exceeding 3 1/2 inches, measured at the time of stuffing, shall be held in a drying room not less than 20 days at a temperature not lower than 45°F., except that in sausage of the variety known as a pepperoni, if in casings not exceeding 1 3/8 inches in diameter measured at the time of stuffing, the period of drying may be reduced to 15 days. In no case, however, shall the sausage be released from the drying room in less than 25 days from the time the curing materials are added, except that sausage of the variety known as pepperoni, if in casings not exceeding the size specified, may be released at the expiration of 20 days from the time the curing materials are added. Sausage in casings exceeding 3 1/2 inches, but not exceeding 4 inches, in diameter at the time of stuffing, shall be held in a drying room not less than 35 days at a temperature not lower than 45°F., in no case shall the sausage be released from the drying room in less than 40 days from the time the curing materials are added to the meat.

Method No. 2. The meat shall be ground or chopped into pieces not exceeding three-fourths of an inch in diameter. A dry-curing mixture containing not less than 3 1/3 pounds of salt to each hundredweight of the unstuffed sausage shall be thoroughly mixed with the ground or chopped meat. After being stuffed, the sausage having a diameter not exceeding 3 1/2 inches, measured at the time of stuffing, shall be smoked not less than 40 hours at a temperature not lower than 80°F. In no case, however, shall the sausage be released from the drying room in less than 18 days from the time the curing materials are added to the meat. Sausage exceeding 3 1/2 inches, but not exceeding 4 inches, in diameter at the time of stuffing, shall be held in a drying room, following smoking as above indicated, not less than 25 days at a temperature not

lower than 45°F., and in no case shall the sausage be released from the drying room in less than 33 days from the time the curing materials are added to the meat.

Method No. 3. The meat shall be ground or chopped into pieces not exceeding three-fourths of an inch in diameter. A dry-curing mixture containing not less than 3-1/3 pounds of salt to each hundredweight of the unstuffed sausage shall be thoroughly mixed with the ground or chopped meat. After admixture with the salt and other curing materials and before stuffing, the ground or chopped meat shall be held at a temperature not lower than 34°F. for an additional period of time sufficient to make a total of not less than 144 hours from the time the curing materials are added to the meat, or the sausage shall be held for the time specified in a pickle curing medium of not less than 50° (Salometer reading) at a temperature not lower than 44° F. Finally, the sausage having a diameter not exceeding 3 1/2 inches measured at the time of stuffing, shall be smoked for not less than 12 hours. The temperature of the smokehouse during this period at no time shall be lower than 90°F. and for 4 consecutive hours of this period the smokehouse shall be maintained at a temperature not lower than 128°F. Sausage exceeding 3 1/2 inches, but not exceeding 4 inches in diameter at the time of stuffing shall be smoked, following the prescribed curing, for not less than 15 hours. The temperature of the smokehouse during the 15-hour period shall at no time be lower than 90°F., and for 7 consecutive hours of this period the smokehouse shall be maintained at a temperature not lower than 128° F. In regulating the temperature of the smokehouse for the treatment of sausage under this method, the temperature of 128°F. shall be attained gradually during a period not less than 4 hours.

Method No. 4. The meat shall be ground or chopped into pieces not exceeding one-fourth of an inch in diameter. A dry-curing mixture containing not less than 2 1/2 pounds of salt to each hundredweight of the unstuffed sausage shall be thoroughly mixed with the ground or chopped meat. After admixture with the salt and other curing materials and before stuffing, the ground or chopped sausage shall be held as a compact mass, not more than 6 inches in depth, at a temperature not lower than 36°F. for not less than 10 days. At the termination of the holding period, the sausage shall be stuffed in casings or cloth bags not exceeding 3 1/2 inches in diameter, measured at the time of stuffing. After being stuffed, the sausage shall be held in a drying room at a temperature not lower than 45°F. for the remainder of 35-day period, measured from the time the curing materials are added to the meat. At any time after stuffing, if a concern deems it desirable, the product may be heated in a water bath for a period not to exceed 3 hours at a temperature not lower than 80°F. or the product may be both heated and smoked as specified. The time consumed in heating and smoking, however, shall be in addition to the 35-day holding period specified.

Method No. 5. The meat shall be ground or chopped into pieces not exceeding three-fourths of an inch in diameter.

A dry-curing mixture containing not less than 2 1/2 pounds of salt to each hundredweight of the unstuffed sausage shall be thoroughly mixed with the ground or chopped meat. After being stuffed the sausage shall be held for not less than 65 days at a temperature not lower than 40°F. The coverings for sausage prepared according to this method may be coated at any stage of preparation before or during the holding period with paraffin or other substance approved by the Administrator.

(i) Capocollo (capicola, capicola). Boneless pork butts for capocollo shall be cured in a dry-curing mixture containing not less than 4 1/2 pounds of salt per hundred-weight of meat for a period of not less than 25 days at a temperature not lower than 36°F. If the curing materials are applied to the butts by the process known as churning, a small quantity of pickle may be added. During the curing period the butts may be overhauled according to any of the usual processes of overhauling, including the addition of pickle or dry salt if desired. The butts shall not be subjected during or after curing to any treatment designed to remove salt from the meat, except that superficial washing may be allowed. After being stuffed, the product shall be smoked for a period of not less than 30 hours at a temperature not lower than 80°F., and shall finally be held in a drying room not less than 20 days at a temperature not lower than 45°F.

(ii) Coppa. Boneless pork butts for coppa shall be cured in a dry-curing mixture containing not less than 4 1/2 pounds of salt per hundredweight of meat for a period of not less than 18 days at a temperature not lower than 36°F. If the curing mixture is applied to the butts by the process known as churning, a small quantity of pickle may be added. During the curing period the butts may be overhauled according to any of the usual processes of overhauling, including the addition of pickle or dry salt if desired. The butts shall not be subjected during or after curing to any treatment designed to remove salt from the meat, except that superficial washing may be allowed. After being stuffed, the product shall be held in a drying room not less than 35 days at a temperature not lower than 45°F.

(iii) Hams. In the curing of hams either of the following methods may be used:

Method No. 1. The hams shall be cured by a dry-salt curing process not less than 40 days at a temperature not lower than 36°F. The hams shall be laid down in salt, not less than 4 pounds to each hundredweight of hams, the salt being applied in a thorough manner to the lean meat of each ham. When placed in cure the hams may be pumped with pickle if desired. At least once during the curing process the hams shall be overhauled and additional salt applied, if necessary, so that the lean meat of each ham is thoroughly covered. After removal from cure the hams may be soaked in water at a temperature not higher than 70°F. for not more than 15 hours, during which time the water may be changed once; but they shall not be

subjected to any other treatment designed to remove salt from the meat, except that superficial washing may be allowed. The hams shall finally be dried or smoked not less than 10 days at a temperature not lower than 95°F.

Method No. 2. The hams shall be cured by a dry-salt curing process at a temperature not lower than 36°F. for a period of not less than 3 days for each pound of weight (green) of the individual hams. The time of cure of each lot of hams placed in cure should be calculated on a basis of the weight of the heaviest ham of the lot. Hams cured by this method, before they are placed in cure, shall be pumped with pickle solution of not less than 100^o strength (salometer) about 4 ounces of the solution being injected into the shank and a like quantity along the flank side of the body bone(femur). The hams shall be laid down in salt, not less than 4 pounds of salt to each hundredweight of hams, the salt being applied in a thorough manner to the lean meat of each ham. At least once during the curing process the hams shall be overhauled and additional salt applied, if necessary, so that the lean meat of each ham is thoroughly covered. After removal from the cure the hams may be soaked in water at a temperature not higher than 70°F. for not more than 4 hours, but shall not be subjected to any other treatment designed to remove salt from the meat, except that superficial washing may be allowed. The hams shall then be dried or smoked not less than 48 hours at a temperature not lower than 80 F., and finally shall be held in a drying room not less than 20 days at a temperature not lower than 45 F.

(iv) Boneless pork loins and loin ends. In lieu of heating or refrigerating to destroy trichinae in boneless loins, the loins shall be cured for a period of not less than 25 days at a temperature not lower than 36°F. by the use of one of the following methods:

Method No. 1. A dry salt curing mixture containing not less than 5 pounds of salt to each hundredweight of meat.

Method No. 2. A pickle solution of not less than 80^o strength (salometer) on the basis of not less than 60 pounds of pickle to each hundredweight of meat.

Method No. 3. A pickle solution added to the approved dry-salt cure provided the pickle solution is not less than 80^o strength (salometer).

(v) After removal from cure, the loins may be soaked in water for not more than 1 hour at a temperature not higher than 70°F. or washed under a spray but shall not be subjected, during or after the curing process to any other treatment designed to remove salt.

(vi) Following curing, the loins shall be smoked for not less than 12 hours. The minimum temperature of the smokehouse during this period at no time shall be lower than 100°F. and for 4 consecutive hours of this period the smokehouse shall be maintained at a temperature not lower than 125°F.

(vii) Finally, the product shall be held in a drying room

for a period of not less than 12 days at a temperature not lower than 45°F.

d. General instructions. When necessary to comply with the requirements of this section, the smokehouses, drying rooms, and other compartments used in the treatment of pork to destroy trichinae shall be suitably equipped, by the establishment, with accurate automatic recording thermometers. Officers in charge are authorized to approve for use in sausage smokehouses, drying room, and other compartments, such automatic recording thermometers as are found to give satisfactory service and to disapprove and require discontinuance of use, for purposes of the regulations in this subchapter any thermometers (including any automatic recording thermometers) of the establishment that are found to be inaccurate or unreliable.

Class of substance	Substance	Purpose	Products	Amount
Bleaching agent	Hydrogen peroxide	To remove color	Type (substance must be removed from product by rinsing with clear water)	Do.
Catalysts (substances must be eliminated during process)	Nickel	To accelerate chemical reaction	Rendered animal fats or a combination of such fats and vegetable fats	Do.
	Sodium amide	Rearrangement of fatty acid radicals	do	Do.
	Sodium methoxide	To color casings or rendered fat	Sausage casings, oleomargarine, shortening, marketing or branding product	Do.
Coloring agents (natural)	Alkanet, annatto, carotene, cochineal, saffron and tumeric	Coloring	do	Sufficient for purpose (may be mixed with approved artificial coloring material or harmless inert material such as common salt or sugar)
Coloring agents (artificial)	Coal tar dyes approved under the Federal Food, Drug and Cosmetic Act (operator must furnish evidence to officer in charge that dye has been certified for use in connection with foods by the Food and Drug Administration)	Coloring	do	Sufficient for purpose (may be mixed with approved natural coloring material or harmless inert material such as common salt or sugar)
	Titanium dioxide	do	Canned ham salad spread and creamed-type canned products	0.5 percent
Cooling and retort water treatment agents	Calcium chloride	To prevent staining on exterior of canned goods	Any	Sufficient for purpose
	Citric acid	do	do	Do.
	Dioxyli sodium sulfosuccinate	do	do	0.05 percent
	Disodium-calcium ethylenediamine tetraacetate	do	do	Sufficient for purpose
	Disodium ethylenediamine tetraacetate	do	do	Do.
	Disodium phosphate	do	do	Do.
	Ethylenediamine tetraacetate acid	do	do	Do.
	Isopropanol	do	do	0.002 percent
	Potassium pyrophosphate	do	do	Sufficient for purpose
	Propylene glycol	do	do	Do.
	Sodium bicarbonate	do	do	Do.
	Sodium carbonate	do	do	Do.
	Sodium decyl ether sulfate	do	do	0.05 percent
	Sodium hexametaphosphate	do	do	Sufficient for purpose
	Sodium lauryl sulfate	do	do	Do.
	Sodium metasilicate	do	do	0.05 percent
	Sodium n-alkylbenzenesulfonate (alkyl group not less than C ₁₀ and not more than C ₁₈)	do	do	Sufficient for purpose
	Sodium nitrite (The sodium nitrite must be deaerated with 0.05 percent powdered charcoal Bulk deaerator)	To inhibit corrosion on exterior of canned goods	do	600 parts per million

Class of substance	Substance	Purpose	Products	Amount
Anticoagulants	Citric acid	To prevent clotting	Fresh beef blood	0.2 percent—with or without water. When water is used to make a solution of citric acid or sodium citrate added to beef blood not more than 2 parts of water to 1 part of citric acid or sodium citrate shall be used.
	Sodium citrate	do	do	10 parts per million
Antifoaming agent	Methyl polysilicone	To retard foaming	Soaps	Do.
		do	Rendered fats	50 parts per million
Antioxidants and oxygen interceptors	BHA (butylated hydroxyanisole)	To retard rancidity	Curing pickle	0.05 percent based on total weight
		do	Dry sausage	0.006 percent in combination
	BHT (butylated hydroxytoluene)	do	do	do
	Propyl gallate	do	do	do
	BHA (butylated hydroxyanisole)	do	Rendered animal fat or a combination of such fat and vegetable fat	0.01 percent
	BHT (butylated hydroxytoluene)	do	do	do
	Glycols	do	do	0.02 percent in combination
	Nordihydroguaiaric acid	do	do	do
	Propyl gallate (NDGA)	do	do	do
	Resin guaiac	do	do	do
	Toopherols	do	do	0.03 percent. A 30 percent concentration of tocopherols in vegetable oils shall be used when added as an antioxidant to products designated as "lard" or "rendered pork fat."
	BHA (butylated hydroxyanisole)	do	Fresh pork sausage, brown and serve sausage, pre-grilled beef patties, and fresh sausage made from beef or beef and pork	0.01 percent based on fat content
		do	do	0.02 percent in combination
	BHT (butylated hydroxytoluene)	do	do	do
	Propyl gallate	do	do	do
	BHA (butylated hydroxyanisole)	do	Dried meats	0.01 percent based on total weight
	BHT (butylated hydroxytoluene)	do	do	do
	Propyl gallate	do	do	do
Binders	Algin	To extend and stabilize product	do	Sufficient for purpose
	Carrageenan	do	do	Do.
	Cellulose (cellulose gum)	do	Baked pies	Do.
	Gums, vegetable	do	do	do
	Methyl cellulose	To extend and to stabilize product (also carrier)	Egg roll	Do.
		do	Meat and vegetable patties	0.15 percent
Isolated soy protein		To bind and extend product	Imitation sausage; nonspecific loaves; soups; stews	Sufficient for purpose
	Sodium caseinate	do	do	Do.
	Whey (dried)	do	do	Do.

Class of substance	Substance	Purpose	Products	Amount
Densifying agents; may be used in combination. Must be removed from trips by rinsing with potable water.	specific nitrite content of such supplies must be known and clearly marked accordingly).	To denude mucous membranes.	Trips.	Sufficient for purpose.
	Lime (calcium oxide, calcium hydroxide).			
Emulsifying agents.	Sodium carbonate.	do.	do.	Do.
	Sodium succinate.	do.	do.	Do.
	Sodium hydroxide.	do.	do.	Do.
	Sodium metasilicate.	do.	do.	Do.
	Sodium persulfate.	do.	do.	Do.
	Trisodium phosphate.	do.	do.	Do.
	Acetylated mono-glycerides.	To emulsify product.	Shortening.	Do.
	Diacetyl tartaric acid esters of mono and diglycerides.	do.	do.	Do.
	Glycerol-lacto stearate, castor, or Lecithin.	do.	do.	Do.
	Mono and diglycerides (glycerol palmitate, etc.).	To emulsify product (also as anti-oxidant). To emulsify product.	Oleomargarine, shortening. Rendered animal fat or a combination of such fat with vegetable fat.	Sufficient for purpose in lard and shortening. 0.5 percent in oleomargarine. Sufficient for purpose.
Polyglycerol esters of fatty acids (polyglycerol esters of fatty acids are restricted to those up to and including the decyl group). Esters and otherwise named as in paragraphs 1120 (a) of the Food Additive Regulations.	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
Shortening for use in nonstandardized baked goods, baking mixes, icings, fillings, and toppings and in the frying of foods.	Polyglycerol 80 (polyoxyethylene (20) sorbitan monoacetate).	do.	do.	1 percent when used alone. If used with polyglycerate 60 the combined total shall not exceed 1 percent.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
Shortening for use in nonstandardized baked goods, baking mixes, icings, fillings, and toppings and in the frying of foods.	Propylene glycol mono and diester of fat and fatty acids.	do.	do.	Sufficient for purpose.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
Shortening to be used for cakes, icings and fillings.	Polyglycerate 60 (polyoxyethylene (20) sorbitan monoacetate).	do.	do.	1 percent when used alone. If used with polyglycerate 80 the combined total shall not exceed 1 percent.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
Shortening for use in the frying of foods.	Steryl-2-lactic acid.	do.	do.	3.0 percent.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.
	do.	do.	do.	do.

Class of substance	Substance	Purpose	Products	Amount
Curing agents.	ized sodium nitrite when in cook room shall be held in locked metal bin or container conspicuously labeled "Decharacterized sodium nitrite—To be used by authorized personnel only.")	To prevent staining on canned goods.	do.	0.05 percent.
	Sodium pyrophosphate.	do.	do.	Do.
	Sodium tripolyphosphate.	do.	do.	Do.
	Zinc oxide.	do.	do.	0.01 percent.
	Zinc sulfate.	do.	do.	Do.
	Ascorbic acid.	To accelerate color fixing of preserve color during storage.	Cured pork and beef cuts, cured meat food product.	75 ozs. to 100 gals. pickle at 10 percent pump level or meat byproduct; 10 percent solution to surfaces of cured cuts prior to packaging (the use of such solution shall not result in the addition of a significant amount of moisture to the product). Do.
	Erythorbic acid.	do.	do.	Do.
	Glucosono delta lactone.	To accelerate color fixing.	Cured, comminuted meat or meat food product. Genoa salami.	8 ozs. to each 100 lbs. of meat or meat byproduct. 16 ozs. to 100 lbs. of meat (1.6 percent).
	Sodium ascorbate.	To accelerate color fixing or preserve color during storage.	Cured pork and beef cuts, cured meat food product.	37.5 ozs. to 100 gals. pickle at 10 percent pump level; 1/2 ozs. to 100 lbs. meat or meat byproduct; 10 percent solution to surfaces of cured cuts prior to packaging (the use of such solution shall not result in the addition of a significant amount of moisture to the product).
	Sodium erythorbate. Citric acid or sodium citrate.	do.	do.	Do.
Sodium or potassium nitrate.	Source of nitrite.	Cured products.	May be used in cured products of in 10 percent solution used to spray surfaces of cured cuts prior to packaging to replace up to 50 percent of the ascorbic acid, erythorbic acid, sodium ascorbate, or sodium erythorbate that is used. 7 lbs. to 100 gals. pickle; 3/4 ozs. to 100 lbs. meat (dry cure); 2/4 ozs. to 100 lbs. chopped meat. 2 lbs. to 100 gals. pickle at 10 percent pump level; 1 oz. to 100 lbs. meat (dry cure); 1/2 oz. to 100 lbs. chopped meat and/or meat byproduct. 75 percent use of nitrites, nitrites, or combination shall result in more than 200 parts per	
Sodium or potassium nitrite (supplies of sodium nitrite and potassium nitrite and mixtures containing them must be kept securely under the care of a responsible employee of the establishment. The	To fix color.	do.	do.	do.

See footnote at end of table

Class of substance	Substance	Purpose	Products	Amount
Flavoring agents; protectors and developers.	Program approved artificial smoke flavoring ¹	To flavor product...	Any.....	Do.
	Program approved smoke flavoring ¹	do.....	do.....	Do.
	Autolyzed yeast	do.....	do.....	Do.
	Harmless bacteria starters of the acidophilus type, lactic acid starter or culture of <i>Pediococcus cerevisiae</i> .	To develop flavor....	Dry sausage, pork roll, thuringer, lebanon bologna, cervelat, and salami.	0.5 percent.
	Benzoic acid, sodium benzoate.	To retard flavor reversion.	Oleomargarine.....	0.1 percent.
	Citric acid.....	To protect flavor.	do.....	Sufficient for purpose.
	Corn syrup solids, corn syrup, glucose syrup.	To flavor.....	Chili con carne, sausage, hamburger, meat loaf, luncheon meat, chopped or pressed ham.	2.0 percent individually or collectively, calculated on a dry basis.
	Dextrose.....	To flavor product....	Sausage, ham and cured products.	Sufficient for purpose.
	Diacetyl.....	do.....	Oleomargarine.....	Do.
	Disodium guanylate	do.....	do.....	Do.
	Disodium inosinate	do.....	do.....	Do.
	Hydrolyzed plant protein.	do.....	Any.....	Do.
	Isopropyl citrate.	To protect flavor.	Oleomargarine.....	0.02 percent.
	Milk powder.....	To flavor product....	Cured products.....	2.5 percent.
	Milk potassium hydroxide	do.....	Any.....	Sufficient for purpose.
Monoacetic calcium	do.....	do.....	Do.	
Sodium sulfacetate derivative of mono and diglycerides.	do.....	do.....	0.5 percent.	
Sodium tripolyphosphate.	To help protect flavor.	"Fresh Beef," "Beef for Further Cooking," "Cooked Beef," and similar products which are frozen after processing.	Do.	
Gases.	Mixtures of sodium triphosphate and sodium hexameta-phosphate.	do.....	do.....	Do.
	Starter distillate	do.....	Oleomargarine.....	Sufficient for purpose.
	Stearyl citrate	To protect flavor.	do.....	0.15 percent.
	Sugars (sucrose and dextrose)	To flavor product....	Any.....	Sufficient for purpose.
	Carbon dioxide solid (dry ice).	To cool product....	Chopping of meat, packaging of products.	Do.
	Nitrogen.....	To exclude oxygen.	Scaled container.	Do.
	Caustic soda.....	To remove hair.	Hog carcasses.	Do.
	Dioctyl sodium sulfosuccinate.	do.....	do.....	Do.
	Lime.....	do.....	do.....	Do.
	Methyl polysilicone	do.....	do.....	Do.
	Sodium carbonate	do.....	do.....	Do.
	Sodium dodecylbenzene sulfonate.	do.....	do.....	Do.
	Sodium hexameta-phosphate.	do.....	do.....	Do.
	Sodium lauryl sulfate.	do.....	do.....	Do.
	Sodium metasilicate	do.....	do.....	Do.

Class of substance	Substance	Purpose	Products	Amount	
Miscellaneous.....	sodium n-alkylbenzene sulfonate (alkyl group predominantly C ₁₂ and C ₁₃ and not less than 95 percent C ₁₀ to C ₁₄).	do.....	do.....	Do.	
	Sodium sulfate.....	do.....	do.....	Do.	
	Sodium tripolyphosphate.	do.....	do.....	Do.	
	Sucrose.....	do.....	do.....	Do.	
	Trisodium phosphate.	do.....	do.....	Do.	
	Potassium sorbate.....	To retard mold growth.	Dry sausage.....	2.5 percent in water solution may be applied to casings after stuffing or casings may be dipped in solution prior to stuffing.	
	Calcium disodium EDTA calcium disodium ethylenediaminetetraacetate).	To preserve product and to retard mold growth.	Oleomargarine or margarine.....	0.1 percent by weight of the finished oleomargarine or margarine.	
	Propylparaben (propylhydroxybenzoate).	do.....	do.....	75 parts per million by weight of the finished oleomargarine or margarine.	
	Sodium bicarbonate...	To neutralize excess acidity, cleaning.	Rendered fats, soups, curing pickle.	3.5 percent in water solution may be applied to casings after stuffing or casings may be dipped in solution prior to stuffing.	
	Calcium propionate...	To retard mold growth.	Pizza crust.....	Sufficient for purpose.	
	Sodium propionate.....	do.....	do.....	0.32 percent alone or in combination, based on weight of the flour used.	
	Sodium hydroxide.....	To decrease amount of cooked out juices.	Cured hams, pork shoulder picnic and loins, canned hams and pork shoulder picnic; chopped ham; and bacon.	May be used only in combination with phosphates in ratio of four parts phosphate to one part sodium hydroxide; the combination shall not exceed 5.0 percent pickle at 10 percent pump level; 0.5 percent in product; 5.0 percent of phosphate in pickle at 10 percent pump level; 0.5 percent of phosphate in ham and pork shoulder picnic, and products covered by § 317.8 (b) (13) (ii) and similar products; chopped ham; and bacon.	
	Disodium phosphate...	To decrease amount of cooked out juices.	Cured hams, pork shoulder picnic and loins, canned hams and pork shoulder picnic, and products covered by § 317.8 (b) (13) (ii) and similar products; chopped ham; and bacon.	5.0 percent of phosphate in pickle at 10 percent pump level; 0.5 percent of phosphate in ham and pork shoulder picnic, and products covered by § 317.8 (b) (13) (ii) and similar products; chopped ham; and bacon.	
	Proteolytic enzymes.	Monoacetic calcium	do.....	do.....	Do.
		Sodium hexameta-phosphate	do.....	do.....	Do.
Sodium tripolyphosphate		do.....	do.....	Do.	
Sodium pyrophosphate		do.....	do.....	Do.	
Sodium acid pyrophosphate		do.....	do.....	Do.	
Aspergillus oryzae.....		To soften tissues.....	Beef cuts.....	Solutions consisting of water, salt, mono-sodium glutamate, and approved proteolytic enzymes applied or injected into cuts of beef shall not result in a gain of more than 3 percent above the weight of the untreated product.	

Class of substance	Substance	Purpose	Products	Amount
Synergists (used in combination with anti-oxidants).	Aspergillus flavusoryzae group	do	do	Do.
	Bromellin	do	do	Do.
	Papain	do	do	Do.
	Acetic acid	To separate fatty acids and glycerol.	Rendered fats	Sufficient for purpose.
Refining agents (must be eliminated during process of manufacturing).	Bicarbonate of soda	do	do	Do.
	Carbon (purified charcoal)	To aid in refining of animal fats.	do	Do.
	Caustic soda (sodium hydroxide)	To refine fats	do	Do.
	Diatomaceous earth; Fuller's earth	do	do	Do.
Rendering agents	Sodium carbonate	do	do	Do.
	Tannic acid	do	do	Do.
	Tricalcium phosphate	To aid rendering	Animal fats	Do.
	Sodium phosphate	do	do	Do.
Artificial sweeteners	Saccharin	To sweeten product	Bacon	0.01 percent.

Class of substance	Substance	Purpose	Products	Amount
Synergists (used in combination with anti-oxidants).	Citric acid	To increase effectiveness of anti-oxidants.	Lard and shortening.	0.01 percent alone or in combination with anti-oxidants in lard or shortening.
			Dry sausage	0.033 percent in dry sausage in combination with anti-oxidants.
			Fresh pork sausage	0.01 percent on basis of fat content, in combination with anti-oxidants.
			Dried meats	0.01 percent on basis of total weight in combination with anti-oxidants.
			Lard and shortening	Do.
			Lard, shortening, oleomargarine, lard and shortening	Do.
			Fresh pork sausage, dried meats	Do.
			Lard and shortening	0.01 percent.
			Lard, shortening, fresh pork sausage, dried meats	0.02 percent.
			Lard, shortening, fresh pork sausage, dried meats	0.02 percent.

¹ These are proprietary products, and a list thereof can be obtained from the Technical Services Division, Consumer and Marketing Service, U. S. Department of Agriculture, Washington, D. C. 20250.

(d) No substance may be used in or on any product if it conceals damage or inferiority or makes the product appear to be better or of greater value than it is. Therefore:

(1) Paprika or oleoresin paprika may not be used in or on fresh meat, such as steaks, or comminuted fresh meat food products, such as chopped and formed steaks or patties; or in any other meat food products consisting of fresh meat (with or without seasoning), except chorizo sausage and Italian brand sausage, and except other meat food products in which paprika or oleoresin paprika is permitted as an ingredient in a standard of identity or composition in Part 118 of this chapter.

(2) Sorbic acid, calcium sorbate, sodium sorbate, and other salts of sorbic acid may not be used in cooked sausage or any other product; sulfurous acid and salts of sulfurous acid may not be used in or on any product and niacin or nicotinamide may not be used in or on fresh product; except that potassium sorbate, propylparaben (propyl p-hydroxybenzoate), calcium propionate, sodium propionate, benzoic acid, and sodium benzoate may be used in or on any product only as provided in the chart in § 117.7 (c) (4) or as approved by the Chief in specific cases.

PART 118. DEFINITIONS AND STANDARDS OF IDENTITY OR COMPOSITION

Subpart A—General

§ 118.1 Labeling and preparation of standardized products.

Subpart B—Raw Meat Products

§ 118.15 Miscellaneous beef products.
§ 118.29 Miscellaneous pork products.

Subpart C—Cooked Meats

§ 118.80 Barbecued meats.
§ 118.81 Roast beef parboiled and steam roasted.

Subpart D—Cured Meats, Unsmoked and Smoked

§ 118.100 Corned beef.
§ 118.101 Corned beef brisket.
§ 118.102 Corned beef round and other corned beef cuts.
§ 118.103 Cured beef tongue.
§ 118.104 Cured pork products, unsmoked or smoked.
§ 118.105 Chopped ham.

Subpart E—Fresh Sausage

§ 118.140 Sausage.
§ 118.141 Fresh Pork sausage.
§ 118.142 Fresh Beef sausage.
§ 118.143 Breakfast sausage.
§ 118.144 Whole hog sausage.

Subpart F—Uncooked, Smoked Sausage

§ 118.160 Smoked pork sausage.

Subpart G—Cooked, Smoked Sausage

§ 118.180 Frankfurter, wiener, vienna, bologna, garlic bologna, knockwurst, and similar products.
§ 118.181 Cheesefurters and similar products.

Subpart H—Other Cooked Sausages

§ 118.200 Liver sausage and similar products.

Subpart I—Semi-Dry Fermented Sausage

[Reserved]

Subpart J—Dry Fermented Sausage [Reserved]

Subpart K—Luncheon Meat, Loaves and Jellied Products

§ 118.260 Luncheon meat.
§ 118.261 Meat loaf.

Subpart L—Cooked Meat Specialties, Puddings and Nonspecific Loaves

§ 118.280 Scrapple.

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

§ 118.300 Chili con carne.
§ 118.301 Chili con carne with beans.
§ 118.302 Hash.
§ 118.303 Corned beef hash.
§ 118.304 Meat stews.
§ 118.305 Tamales.
§ 118.306 Spaghetti with meat balls and sauce, spaghetti with meat and sauce, and similar products.
§ 118.307 Spaghetti sauce with meat.
§ 118.308 Tripe with milk.
§ 118.309 Beans with frankfurters in sauce, sauerkraut with wieners and juice, and similar products.
§ 118.310 Lima beans with ham in sauce, beans with ham in sauce, beans with bacon in sauce, and similar products.
§ 118.311 Chow mein vegetables with meat, and chop suey vegetables with meat.
§ 118.312 Pork with barbecue sauce and beef with barbecue sauce.
§ 118.313 Beef with gravy and gravy with beef.

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

§ 118.500 Meat pies.

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

§ 118.600 Pizza.

Subpart P—Fats, Oils, Shortenings

§ 118.700 Oleomargarine or margarine.
§ 118.701 Mixed fat shortening.
§ 118.702 Lard, leaf lard.
§ 118.703 Rendered animal fat or mixture thereof.

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

§ 118.720 Meat extract.
§ 118.721 Fluid extract of meat.

Subpart R—Meat Salads and Meat Spreads

§ 118.760 Deviled ham, deviled tongue and similar products.
§ 118.761 Potted meat food product and deviled meat food product.
§ 118.762 Ham spread, tongue spread, and similar products.

Subpart B-Raw Meat Product

118.15 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, 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 Section 116.2 of this chapter, 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, 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 and/or partially defatted beef fatty tissue may be used without added water or with added water only in amounts such that the product's characteristics are essentially that of a meat pattie.

d. Fabricated steak. Fabricated beef steaks, veal steaks, beef and veal steaks, of 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, Hydrolized Plant Protein, and Flavoring" shall be prepared by comminuting and forming the product from fresh and/or frozen meat, with or without added fat, or 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°F.) of fresh beef fatty tissue. Such product shall have a pinkish color and a fresh odor and appearance.

118.29 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°F.) of fresh pork fatty tissue, exclusive of skin. Such product shall have a pinkish color and a fresh odor and appearance.

Subpart C-Cooked Meats

118.80 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 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.

118.81 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 are used in the preparation of this product, its presence shall be reflected in the statement of ingredients required by Part 116 of this chapter.

Subpart D-Cured Meats, Unsmoked and Smoked

118.100 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 Section 117.7 (c) (1) and (4) of this chapter. 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 Section 118.81. When beef cheek meat, beef head meat, or beef heart meat are used in preparation of this product, its presence shall be reflected in the statement of ingredients required by Part 116 of this chapter. 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.

118.101 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.

118.102 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.

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

118.104 Cured Pork Products, Unsmoked or Smoked.

a. Cured, unsmoked products. Cured, unsmoked, "Boneless Pork Shoulder," "Boneless Pork Shoulder Butts," or pieces of pork loin in casings or similar containers of consumer size, shall not contain more than 10 percent added substances as a result of the curing process.

b. Smoked products. The weight of any smoked products such as "Ham," "Pork Shoulder," "Pork Shoulder Picnic," "Pork Shoulder Butts," or similar products, except such products prepared for canning, shall not exceed the weight of the fresh uncured article.

c. Other cooked, cured products. The preparation of any cooked, cured products, such as "Ham," "Pork Shoulder," "Pork Shoulder Picnic," "Pork Shoulder Butt," and "Pork Loin," or similar products, either by moist or dry heat (except such products prepared for canning), shall not result in the finished cooked product weighing more than the fresh uncured article.

d. Cured, water added products. Products resembling standardized ham and other pork products of the kinds provided for in paragraph (b) or (c) of this section, which do not conform to such provisions because they contain added water not in excess of 10 percent of the weight of the fresh, uncured products, shall bear on their labels the term "Water Added," as a part of the product name, in prominent lettering not less than three-eighths inch in height, and if not placed in a consumer-size package labeled in accordance with this part and Part 116 of this chapter, shall be marked with the term "Water Added" the full length of the product. However, the Chief may approve smaller lettering for labels of small packages, such as 4-ounce packages, when he finds that the size and style of the lettering in connection with the product name are such as to insure the prominence of the required terms. The qualifying phrase "Up to 10 percent" or equivalent phrase may be used in labeling such products in connection with the term "Water Added" at the option of the operator of the establishment, provided the qualifying phrase does not detract from the prominence of the term "Water Added."

e. Canned products. The preparation of any canned products such as "Ham," "Pork Shoulder Picnic," or similar products, shall not result in an increase in weight of more than 8 percent over the weight of the fresh uncured article.

f. Pressed ham, spiced ham, and similar products. "Pressed Ham," "Pressed Ham with Natural Juices," "Spiced Ham," and similar products may contain finely chopped ham shank meat to the extent of 25 percent over that normally present in the boneless ham. The weight of the cured chopped ham prior to processing shall not exceed the weight of the fresh uncured ham, exclusive of the bone and fat removed in the boning operation, plus the weight of the curing ingredients and 3 percent moisture.

118.105 Chopped Ham.

a. "Chopped Ham" is the semisolid meat food product, in the form of a compact mass with a limited amount of cooked out juices, which is prepared with ham, curing agents, seasonings, and any of the optional ingredients listed in paragraph (b) of this section, in accordance with the provisions of subparagraphs (1), (2), and (3) of this paragraph.

(1) Fresh ham, cured ham, or smoked ham, or a mixture of two or more of such meat components may be used. The weight of the cured chopped ham prior to processing shall not exceed the weight of the fresh uncured ham and fresh uncured ham shank meat if any is used, exclusive of the bones and fat removed in the boning operations, plus the weight of the curing ingredients and 3 percent moisture.

(2) The curing agents that may be used, singly or in combination, are salt, sodium nitrate, sodium nitrite, potassium nitrate, and potassium nitrite. When sodium nitrite, sodium nitrite, potassium nitrate, or potassium nitrite is used, singly or in combination, the amount thereof shall not exceed that permitted in Section 117.7 (b) (4) of this chapter.

(3) 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. Chopped ham may contain one or more of the following optional ingredients:

(1) Finely chopped ham shank meat (fresh, cured, or smoked, or a combination thereof) to the extent of not more than 25 percent over that normally present in the boneless ham;

(2) Water, for the purpose of dissolving the curing agents, and not in excess of the amount permitted in paragraph (a) (1) of this section;

(3) Monosodium glutamate;

(4) Hydrolyzed plant protein;

(5) Corn syrup solids, corn syrup and glucose syrup, singly or in combination, in an amount not to exceed 2 percent (calculated on a dry basis) of all the ingredients used in preparing the chopped ham;

(6) Disodium phosphate, sodium hexametaphosphate, sodium tripolyphosphate, sodium pyrophosphate, and sodium acid pyrophosphate, singly or in combination, in an amount not to exceed that permitted in Section 117.7 (b) (4) of this chapter;

(7) Ascorbic acid, sodium ascorbate, isoascorbic acid or sodium isoascorbate in an amount not to exceed that permitted in Section 117.7 (c) (4) of this chapter;

(8) Dehydrated onions or onion powder;

(9) Dehydrated garlic or garlic powder.

Sub-part E-Fresh Sausage

118.140 Sausage. Except as otherwise provided in this section, 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 conditioned proportions of condimental substances, and frequently cured. Certain sausage as provided for elsewhere in this part may contain binders and extenders; e.g., cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, isolated soy protein, nonfat dry milk, calcium reduced skim milk or dried milk. The finished product shall contain no more than 3.5 percent of these additives individually or collectively. Two percent of isolated soy protein shall be deemed equivalent to 3½ percent of any one or more of these binders. Sausage may not contain phosphates except that uncooked pork from cuts cured with phosphates listed in Section 117.7 (c) (4) of this chapter may be used in cooked sausage.

118.141 Fresh Pork Sausage. "Fresh Pork Sausage" is sausage prepared with fresh pork or frozen pork, or both, not including pork byproducts, and may be seasoned with condimental substances as permitted under Part 117 of this chapter. It shall not be made with any lot of product which, in the aggregate, contains more than 50 percent trimmable fat, that is, fat which can be removed by thorough, practicable trimming and sorting. To facilitate chopping or mixing, water or ice may be used in an amount not to exceed 3 percent of the total ingredients used.

118.142 Fresh Beef Sausage. "Fresh beef sausage" is sausage prepared with fresh beef or frozen beef, or both, not including beef byproducts, and may be seasoned with condimental substances as permitted under Part 117 of this chapter. 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.

118.143 Breakfast Sausage. "Breakfast Sausage" is sausage prepared with fresh and/or frozen meat, or meat and meat byproducts and may be seasoned with condimental substances as permitted in Part 117 of this chapter. It shall not be made with any lot of products which, in the aggregate, contains more than 50 percent trimmable fat; that is, fat which can be removed by thorough practicable trimming and sorting. To facilitate chopping or mixing, water or ice may be used in an amount not to exceed 3 percent of the total ingredients used. Extenders or binders, as listed in Part 117 of this chapter may be used to the extent of 3½ percent of the finished sausage as permitted in Section 118.140.

118.44 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 be seasoned with condimental substances as permitted in Part 117 of this chapter. It shall not be made with any lot of product which, in the aggregate, contains more than 50 percent trimmable fat; that is, fat which can be removed by thorough practicable trimming and sorting. To facilitate chopping or mixing, water or ice may be used in an amount not to exceed 3 percent of the total ingredients used.

Subpart F-Uncooked, Smoked Sausage

118.160 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 117 of this chapter. It shall not be made with any lot of product which, in the aggregate, contains more than 50 percent trimmable fat; that is, fat which can be removed by thorough practicable trimming and sorting. To facilitate chopping or mixing, water or ice may be used in an amount not to exceed 3 percent of the total ingredients used.

Subpart G-Cooked, Smoked Sausage

118.180 Frankfurter, Wiener, Vienna, Bologna, Garlic Bologna, Knockwurst, and Similar Products. "Frankfurter," "Wiener," "Vienna," "Bologna," "Garlic Bologna," "Knockwurst," and similar sausages are comminuted semisolid meat food products which are prepared from one or more kinds of meat or meat and meat byproducts, poultry products, and other ingredients as permitted by this section, seasoned and cured using one or more of the curing agents in accordance with Section 117.7 (b) of this chapter. The finished products shall not contain more than 30 percent fat. Water and/or ice may be used to facilitate chopping or mixing or to dissolve the curing ingredients, but the sausage shall contain no more than 10 percent of added water. One or more of the following binders or extenders may be used, which individually or collectively shall not exceed 3½ percent of the total ingredients in the sausage, except that 2 percent of isolated soy protein shall be deemed to be the equivalent of 3½ percent of any one or more of the other binders: dried milk, nonfat dry milk, calcium reduced dried skim milk, cereal, vegetable starch, starchy vegetable flour, soy flour, soy

protein concentrate, and isolated soy protein. 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 byproduct ingredients. These products may contain uncooked cured pork which does not contain any phosphates or contains only phosphates approved under Part 117 of this chapter. These sausage products also may contain poultry products which, individually or in combination, are not in excess of 15 percent of the total ingredients excluding water, in the sausage. Such poultry products must be free of kidneys and sex glands, and the amount of skin present must not exceed the natural proportion of skin present on the whole carcass of the kind of poultry used in the sausage. For purposes of this subparagraph, poultry products means chicken or turkey, chicken or turkey meat, or chicken or turkey byproducts. They shall be designated in the ingredient statement on the label of such sausage in accordance with the provisions of these regulations. Sausage products within this section if labeled "all meat" shall contain only beef, pork, veal, mutton, lamb, or goat meat, or chicken or turkey meat (without skin but otherwise as provided in this section), or any combination thereof, and condiments, curing agents and water as permitted by this section and Section 117.7 of this chapter. If labeled "all (species), e.g., "All Beef Franks" or "All Pork Franks," these sausages shall contain only meat of the specified species, with condiments, curing agents, and water as permitted by this section and Section 117.7 of this chapter.

118.181 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 cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, isolated soy protein, nonfat dry milk, calcium reduced skim-milk, or dried milk. The finished product shall contain no more than 3.5 percent of these additives, individually and collectively, exclusive of the cheese constituent. In determining the maximum amount of the ingredients specified in this subparagraph which may be used, individually and collectively, in a product, 2 percent of isolated soy protein shall be considered the equivalent of 3.5 percent of any other ingredient specified in this subparagraph. When any such additive is added to these products, there shall appear on the label in a prominent manner, contiguous to the name of the product, the name of each such added ingredient, as for example, "Cereal Added," "With Cereal," "Potato Flour Added," "Cereal and Potato Flour Added," "Soy Flour Added," "Nonfat Dry Milk Added," "Cereal and Nonfat Dry Milk Added," as the case may be. These products shall contain no more than 10 percent of added water and/or ice, 30 percent fat and shall comply with the other provisions for cooked sausages that are in this chapter.

Subpart H-Other Cooked Sausages

118.200 Liver Sausage and Similar Products. "Liver Sausage" and "Braunschweiger" are sausages made from fresh and/or frozen pork and livers of livestock and may contain cured pork, beef and veal, and pork fat. Liver sausage may also contain beef and pork byproducts and pork skins. These

products shall contain not less than 30 percent of liver computed on the weight of the fresh liver.

Subpart I-Semi-Dry Fermented Sausage

(Reserved)

Subpart J-Dry Fermented Sausage

(Reserved)

Subpart K-Luncheon Meat, Loaves and Jellied Products

118.260 Luncheon Meat. "Luncheon Meat" is a cured, cooked meat food product made from comminuted meat. 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.

118.261 Meat Loaf. "Meat Loaf" is a cooked meat food product in loaf form made from comminuted meat. To facilitate chopping or mixing, water or ice may be used in an amount not to exceed 3 percent of the total ingredients used.

SUBPART L-COOKED MEAT SPECIALTIES, PUDDINGS AND NONSPECIFIC LOAVES

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

SUBPART M-CANNED, FROZEN, OR DEHYDRATED MEAT FOOD PRODUCTS

118.290 Canning with heat processing and hermetically sealed containers; closure; code making; heat processing; incubation.

a. Containers shall be cleaned thoroughly immediately before filling, and precaution must be taken to avoid soiling the inner surfaces subsequently.

b. Containers of metal, glass, or other material shall be washed in an inverted position with a water spray. The nozzle on the spray attachment shall be of such design and the water delivered with such pressure as will effectively rinse all of the inner surface of each container. Such containers shall not contain an accumulation of water when received at the filling station. In lieu of cleaning with water, the use of efficient jet-vacuum type equipment for cleaning containers is permitted, immediately prior to filling.

c. Nothing less than perfect closure is acceptable for hermetically sealed containers. Heat processing shall follow promptly after closing.

d. Careful inspection shall be made of the containers by competent establishment employees immediately after closing, and containers which are defectively filled or defectively closed or show inadequate vacuum shall not be processed until

the defect has been corrected. The containers shall again be inspected by establishment employees when they have cooled sufficiently for handling after processing by heating. The contents of defective containers shall be condemned unless correction of the defect is accomplished within 6 hours following the sealing of the containers or completion of the heat processing, as the case may be, except that: (1) If the defective condition is discovered during an afternoon run, the cans of product may be held in coolers at a temperature not exceeding 38°F. under conditions that will promptly and effectively chill them until the following day when the defect may be corrected; (2) short vacuum or over-stuffed cans of product which have not been handled in accordance with subparagraph (1) of this paragraph may be incubated under inspection supervision, after which the cans shall be opened and the sound product passed for food; and (3) short vacuum or over-stuffed cans of product of a class required to be labeled "Perishable, Keep under Refrigeration" and which have been kept under adequate refrigeration since processing may be opened and the sound product passed for food.

e. Canned products shall not be passed unless after cooling to atmospheric temperature, they show the external characteristics of sound cans; that is, the cans shall not be overfilled; they shall have concave sides, excepting the seam side, and all ends shall be concave; there shall be no bulging; the sides and ends shall conform to the product; and there shall be no slack or loose tin.

f. All canned products shall be plainly and permanently marked on the containers by code or otherwise with the identity of the contents and date of canning. The code used and its meaning shall be on record in the office of the inspector.

g. Canned product must be processed at such temperature and for such period of time as will assure keeping without refrigeration under usual conditions of storage and transportation when heating is relied on for preservation, with the exception of those canned products which are processed without steam-pressure cooking by permission of the Chief and labeled "Perishable, Keep under Refrigeration."

h. Lots of canned product shall be identified during their handling preparatory to heat processing by tagging the baskets, cages, or cans with a tag which will change color on going through the heat processing or by other effective means so as to positively preclude failure to heat process.

i. Facilities shall be provided to incubate at least representative samples of the product of fully processed canned product. The incubation shall consist of holding the canned product for the periods of time and at the temperatures prescribed in (4) of this section.

(1) Incubation tests shall be made to the extent required by the officer in charge. The extent to which incubation tests shall be required depends on conditions such as the record of the establishments in conducting canning operations, the extent to which the establishment furnishes competent

supervision and inspection connection with the canning operations, the character of the equipment used, and the degree to which such equipment is maintained at maximum efficiency. Such factors shall be considered by the officer in charge in determining the extent of incubation testing at a particular establishment.

(2) In the event of failure by an establishment to provide suitable facilities for incubation of test samples, the inspector in charge may require holding of the entire lot under such conditions and for such period of time as may, in his discretion, be necessary to establish the stability of the product.

(3) The inspector in charge may permit lots of canned product to be shipped from the establishment prior to completion of sample incubation when he has no reason to suspect unsoundness in the particular lots and under circumstances which will assure the return of the product to the establishment for re-inspection should such action be indicated by the incubation results.

(4) Incubation shall consist of holding the samples at 95°(±2°) F. for no less than 10 days; except:

(i) Samples of firmly packed products such as luncheon meat and products with high fat content, such as chorizos packed in lard, and products weighing 3 pounds or more shall be held at 95°(±2°) F. for not less than 20 days.

(ii) Samples of products composed of chunks or patties of meat in a medium or sauce wherein the p^H of the meat component and the medium or sauce are significantly different shall be incubated at 95°(±2°) F. for no less than 30 days.

118.300 Chili Con Carne. "Chili Con Carne" shall contain not less than 40 percent of meat computed on the weight of the fresh meat. 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 not more than 8 percent, individually or collectively, of cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, isolated soy protein, dried milk, nonfat dry milk, or calcium reduced dried skim milk.

118.301 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. Head meat, cheek meat, or heart meat exclusive of the heart cap may be used to the extent of 25 percent of the meat ingredient, and its presence shall be reflected in the statement of ingredients required by Part 116 of this chapter.

118.302 Hash. "Hash" shall contain not less than 25 percent of meat computed on the 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.

118.303 Corned Beef Hash.

a. "Corned Beef Hash" is the semisolid 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 subparagraphs (1), (2), (3) and (4) of this paragraph 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 as salt, sodium nitrate, sodium nitrite, 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 Section 117.7 (c) (4) of this chapter.

(4) The seasoning that may be used, singly or in combination, are salt, sugar (sucrose or dextrose); spice, and flavoring, including 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.

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) of (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 subparagraph (1) of this paragraph shall immediately and conspicuously precede or follow such name without intervening written, printed, or other graphic matter.

118.304 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.

118.305 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 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.

118.306 Spaghetti With Meat Balls and Sauce, Spaghetti With Meat and Sauce, and Similar Products. "Spaghetti with Meat Balls in 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. 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 not more than 12 percent, singly and collectively, of farinaceous material, soy flour, soy protein concentrate, isolated soy protein, nonfat dry milk, calcium reduced dried skim milk, and similar substances.

118.307 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.

118.308 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.

118.309 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.

118.310 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.

118.311 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.

118.312 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. 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. When cereal, vegetable flour, soy flour, soy protein concentrate, isolated soy protein, nonfat dry milk, calcium reduced dried skim milk, or similar substances are used in preparing products, there shall appear on the label in a prominent manner, the name of the product, the name of each such added ingredient, as for example "Cereal Added" or "With Cereal and Nonfat Dry Milk."

118.313 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

118.500 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

118.600 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.

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.

SUBPART P-FATS, OILS, SHORTENINGS

118.700 Oleomargarine or Margarine.

a. Oleomargarine or margarine is the plastic food which is prepared in accordance with the provisions of subparagraphs (1), (2), (3), and (4) of this paragraph. In this section the term "oleomargarine" is used to refer to such product whether it is sold as "oleomargarine" or "margarine."

(1) It is prepared with one or more of the fat ingredients named in any one of the subdivisions (i), (ii), (iii), and (iv) of this subparagraph.

(i) The rendered fat or oil, or stearin derived therefrom (any or all of which may be hydrogenated), of cattle, sheep, swine, or goats, or any combination of two or more of such articles;

(ii) Any vegetable food fat or oil, or oil or stearin derived therefrom (any or all of which may be hydrogenated), or any combination of two or more of such articles;

(iii) Any combination of ingredients named under subdivision (i) and (ii) of this subparagraph in such proportion that the weight of the ingredients named under subdivision (i) of this subparagraph either equals the weight of the ingredients named under subdivision (ii) of this subparagraph or exceeds such weight by a ratio not greater than 9 to 1;

(iv) Any combination of ingredients named under subdivisions (i) and (ii) of this subparagraph in such proportion that the weight of the ingredients named under subdivision (ii) of this subparagraph exceeds the weight of the ingredients named under subdivision (i) of this subparagraph by a ratio not greater than 9 to 1.

(2) One of the articles (or combinations) named under subdivisions (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), or (ix) of this subparagraph is intimately mixed with the fat ingredient or ingredients. The ingredients named under subdivisions (i), (ii), (iii), (iv), (v), (vi), and (vii) of this subparagraph are pasteurized and then may be subjected to the action of harmless bacterial starters. The term "milk" as used in this subparagraph means "cow's milk."

(i) Cream;

(ii) Milk;

(iii) Skim milk;

(iv) Liquid sweet cream buttermilk;

(v) Any combination of dry or condensed sweet cream buttermilk and water with a total solids content of not less than 8.5 percent.

(vi) Any combination of nonfat dry milk and water in which the weight of the nonfat dry milk is not less than 10 percent of the weight of the water;

(vii) Any combination of two or more of the articles (or combination) named under subdivisions (1), (ii), (iii), (iv), (v), and (vi) of this subparagraph;

(viii) In case only of the fat ingredient named in subparagraph (1) (ii) of this paragraph, any combination of finely ground soybeans and water, in which the weight of the finely ground soybeans is not less than 10 percent of the weight of the water. The finely ground soybeans are subjected to a heat treatment before or after mixing with the water. The soybeans may or may not be dehulled;

(ix) Water in lieu of any of the articles (or combination) designated in subdivisions (i), (ii), (iii), (iv), (v), (vi), (vii), or (viii) of this subparagraph. Congealing is effected, either with or without contact with water, and the congealed mixture may be worked.

(3) It may contain one or more of the following optional ingredients in addition to the ingredients and articles named in subparagraphs (1) and (2) of this paragraph.

(i) Artificial coloring. For the purpose of this subdivision, pro-Vitamin A shall be deemed to be artificial coloring;

(ii) Sodium benzoate, or benzoic acid, or a combination of these, in a quantity not to exceed 0.1 percent of the weight of the finished product;

(iii) Vitamin A (with or without any accompanying Vitamin D and with or without Vitamin D concentrate), in such quantity that the finished oleomargarine contains not less than 15,000 United States Pharmacopeia units of Vitamin A per pound, as determined by the method prescribed in the Pharmacopeia of the United States for total biological Vitamin A activity. The Vitamin A potency prescribed may be furnished by fish liver oil; by concentrates of Vitamin A or its fatty acid esters from animal sources; by synthetic Vitamin A or its fatty acid esters; by mixtures of synthetic Vitamin A or its fatty acid esters with harmless substances formed during the synthesis of the Vitamin A, if the Vitamin A or its fatty acid ester constitutes not less than 50 percent of the mixture; by pro-Vitamin A; or by any combination of two or more of these. For the purposes of this subdivision, the term "fatty acid" may include acetic acid;

(iv) Any safe and suitable artificial flavoring substance that imparts to the food a flavor in semblance of butter. Such artificial flavoring substances are deemed to be safe for use in oleomargarine which contains any fat ingredient named in subparagraph (1) (i) of this paragraph if they are not food additives.

(v) (a) Lecithin, in an amount not exceeding 0.5 percent of the weight of the finished oleomargarine; or

(b) Monoglycerides or diglycerides of fat-forming fatty acids; or a combination of these, in an amount not exceeding 0.5 percent of the weight of the finished oleomargarine; or

(c) Such monoglycerides and diglycerides in combination with the sodium sulfoacetate derivatives thereof in a total

amount not exceeding 0.5 percent of the weight of the finished oleomargarine; or

(d) A combination of the substances specified in (a) and (b) of this subdivision in which the amount of neither exceeds that stated in (a) and (b); or

(e) A combination of the substances specified in (a) and (c) of this subdivision in a total amount not exceeding 0.5 percent of the weight of the finished oleomargarine. The weight of the diglycerides in each of the ingredients specified in (b), (c), (d), and (e) of this subdivision is calculated at one-half actual weight;

(vi) Butter;

(vii) Salt;

(viii) Citric acid incorporated in the fat or oil ingredient used;

(ix) Isopropyl citrates incorporated in the fat or oil ingredient used, in an amount not to exceed 0.02 percent by weight of the finished oleomargarine;

(x) Stearyl citrate incorporated in the fat or oil ingredient in an amount not to exceed 0.15 percent by weight of the finished oleomargarine;

(xi) Potassium sorbate, in an amount not to exceed 0.1 percent by weight of the finished oleomargarine;

(xii) Calcium disodium EDTA (calcium disodium ethylenediaminetetraacetate) in an amount not to exceed 75 parts per million by weight of the finished oleomargarine.

(4) The finished oleomargarine contains not less than 80 percent fat, as determined by the method prescribed in the current "Official Methods of Analysis of the Association of Official Agricultural Chemists."*

b. The name of the food for which a definition and standard of identity are prescribed by this section is "oleomargarine" or "margarine." The presence of ingredients, provided for in paragraph (a) of this section, in the finished product shall be declared as follows:

(1) Fat ingredients shall be declared first in the ingredient statement by the name of the specific fat or oil or stearin used. Where combinations of fat ingredients are used, the names shall be arranged in descending order of predominance. If any fat ingredient is hydrogenated, the ingredient statement shall include the word "hydrogenated" or "hardened" at such place or places in the list of fats as to indicate which fats are hydrogenated; for example, "corn oil, hardened soybean oil,"

*Copies of this publication are available from the Association of Official Agricultural Chemists, Post Office Box 540, Benjamin Franklin Station, Washington, D. C. 20044.

(2) Immediately following the listing of fat ingredients, other ingredients used shall be named in the descending order of predominance.

(i) The optional ingredients butter, salt, water, cream milk, skim milk, sweet cream buttermilk, dried sweet cream buttermilk and water, condensed sweet cream buttermilk and water, nonfat dry milk and water, ground soybeans and water, lecithin, monoglyceride or diglycerides, and sodium sulfoacetate derivatives of monoglyceride or diglycerides shall each be declared by those terms;

(ii) Artificial colors shall be declared by the statement "Artificially colored" or "Artificial coloring added" or "With added artificial coloring";

(iii) Artificial flavors shall be declared by the statement "Artificially flavored" or "Artificial flavoring added" or "With added artificial flavoring";

(iv) Oleomargarine that contains the optional ingredients citric acid, isopropyl citrate, stearyl citrate, or calcium disodium EDTA shall be labeled by the statement ".....added as a preservative" or "..... added to protect flavor." Oleomargarine that contains the optional ingredients sodium benzoate or benzoic acid shall be labeled by the statement "..... added as a preservative" or ".....as a preservative" or "With addedas a preservative." Oleomargarine that contains the optional ingredient potassium sorbate shall be labeled by the statement ".....added to retard mold growth." The blank in each of the statements in this subdivision shall be filled in with the common name of the preservative ingredient used;

(v) Vitamin A shall be declared by the statement "Vitamin A added" or "With added Vitamin A." Vitamin D shall be declared by the statement "Vitamin D added" or "With added Vitamin D."

(vi) Where two or more optional ingredients named in paragraph (a) (3) of this section are used, the words "Added" or "With Added" need appear only once, either at the beginning or end of the list of such ingredients declared.

(3) Whenever the name "oleomargarine" or "margarine" appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the words and statements prescribed in this section, showing the ingredients used, shall immediately and conspicuously precede or follow, or in part precede and in part follow, such name, without intervening written, printed, or other graphic matter.

c. Colored oleomargarine or colored margarine which is packed for retail sale and contains any ingredient named in paragraph (a) (1) (i) of this section must also comply with the requirements of Section 116.8 (b) (24) of this chapter.

118.701 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.

118.702 Lard, Leaf Lard. "Lard" is the fat rendered from fresh, clean, sound fatty tissue from hogs with or without lard stearin or hydrogenated lard. The fatty tissues shall not include bones, detached skin, head skin, ears, tails, organs, windpipes, large blood vessels, scrap fat, skimmings, settlings, pressings, and similar materials, and the fatty tissues shall be reasonably free from muscle tissue and blood. "Leaf Lard" is lard prepared from fresh leaf fat.

118.703 Rendered Animal Fat or Mixture Thereof.

a. "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.

b. "Rendered Pork Fat" is fat, other than lard, rendered from clean, sound carcasses, parts of carcasses, or edible organs from hogs, except that stomachs, bones from the head, and bones from cured or cooked pork are not included. The tissues rendered are usually fresh, but may be cured, cooked, or otherwise prepared and may contain some meat food products. Rendered pork fat may be hardened by the use of lard stearin and/or hydrogenated lard and/or rendered pork fat stearin and/or hydrogenated rendered pork fat.

SUBPART Q-MEAT SOUPS, SOUP MIXES, BROTHS, STOCKS, EXTRACTS

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

118.721 Fluid Extract of Meat. Fluid extract of meat (i.e. "Fluid Extract of Beef") shall contain not more than 50 percent of moisture.

SUBPART R-MEAT SALADS AND MEAT SPREADS

118.760 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. 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.