

TRANSMITTAL OF RULES ADOPTED

FROM: Department of Agriculture
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)
Olympia 98501

The enclosed Permanent rules , being order No. 1273
 Emergency rules

relating to (Name of rules or description of subject matter)
the amended Federal Meat Inspection Regulations adopted by the 1969 and 1971 sessions of the Washington State Legislature. The amended regulations relate to Tuberculosis infected carcasses and Ante Mortem Inspection for Diethylstilbestrol of meat food animals.

(ALTERNATIVE A. Use only for adoption of permanent rules)

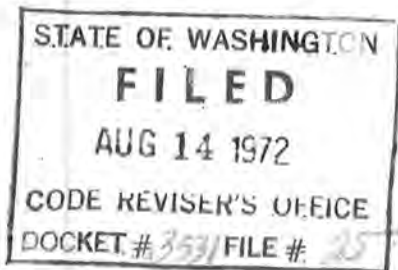
pursuant to Notice No. 3531 ① filed with the code reviser on 6-12-72 ② were regularly adopted as permanent rules of this agency at Olympia, Washington on 8-14-72 and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW. The effective date of such rules shall be 9-13-72 ③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding that the immediate adoption of these rules is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest, were regularly adopted as emergency rules of this agency at _____ on _____ and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter 34.04 RCW and of the Open Public Meetings Act of 1971, chapter 42.30 RCW (1971 ex.s. c 250) have been fulfilled.

Dated this 14th day of August 1972.



Department of Agriculture
(AGENCY)
Cameron S. Adams
By Cameron S. Adams
Acting Director
Title

- ① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)
- ② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)
- ③ UNLESS A LATER DATE IS SPECIFIED IN THIS ORDER OR IS PRESCRIBED IN ANOTHER STATUTE, RULES ARE EFFECTIVE 30 DAYS AFTER FILING: RCW 34.04.040. LEAVE THIS SPACE BLANK EXCEPT IN SUCH SPECIAL CASES.

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 1273
Effective September 13, 1972


NEW WAC 16-152-001 PROMULGATION. (This promulgation relates to WAC 16-152-010 only).

The adoption of these regulations amending the Federal Poultry Inspections Regulations adopted by the 1969 and 1971 Sessions of the Washington State Legislature is necessary to protect the public health and welfare.

I, Cameron S. Adams, acting director of agriculture of the state of Washington, by virtue of the authority vested in me under chapter 16.74 RCW, after due notice as provided under chapter 34.04 RCW, and a public hearing held on July 11, 1972 at 11:00 a.m. in the conference room of the General Administration Building, Olympia, Washington, do hereby promulgate the following regulations relating to poultry and poultry products.

NEW WAC 16-152-010 ADOPTING. The regulations of the United States Secretary of Agriculture in amending Title 9 CFR Part 381 of the Federal Poultry Products Inspection Regulations as adopted under the provision of chapter 16.74 RCW as last amended are hereby adopted and made part of said regulations.

I hereby certify that the foregoing is a true and correct copy of the regulations promulgated by the department of agriculture.


CAMERON S. ADAMS
Acting Director
Department of Agriculture
State of Washington

Signed at Olympia, Washington

Date:

Aug 14, 1972

UNITED STATES DEPARTMENT OF AGRICULTURE
CONSUMER AND MARKETING SERVICE

Title 9—ANIMALS AND ANIMAL
PRODUCTS

Chapter III—Consumer and Marketing
Service (Meat Inspection), Depart-
ment of Agriculture

TUBERCULOSIS INFECTED
CARCASSES

Pursuant to the authority conferred by the Meat Inspection Act, as amended (21 U.S.C. 601 et seq.), Parts 301, 311, and 315 of the meat inspection regulations (9 CFR Parts 301, 311, and 315) are hereby amended as follows.

Statement of considerations. A principal function of the U.S. Department of Agriculture, Meat and Poultry Inspection Program, is to assure that the meat supply is safe, wholesome, and not adulterated. This responsibility requires that studies of inspectional procedures and requirements be conducted periodically, giving cognizance to current scientific knowledge and possible changes in conditions affecting animal health.

Because of interest expressed by public health officials regarding disposition of cattle and swine affected with tuberculosis, committees composed of U.S. Department of Agriculture and public health officials were appointed to evaluate current regulations related to this disease.

Upon reviewing present regulations governing dispositions of cattle and swine carcasses affected with tuberculosis, the committees concluded that current guidelines do not preclude the possibility of passing, for food purposes, carcasses containing organisms of tuberculosis. The committees agreed that changes are necessary in existing regulations concerning disposition and handling of carcasses of tuberculosis reactors and carcasses with lesions of tuberculosis. These amendments to the regulations reflect the recommendations of the committees.

PART 301—DEFINITIONS

1. Section 301.2 paragraph (cc) is amended to read:

§ 301.2 Definitions.

(cc) *U.S. Passed for Cooking.* This term means that the meat or meat byproduct so identified has been inspected and passed on condition that it be cooked or rendered as prescribed by the regulations in Part 315 of this chapter.

PART 311—DISPOSAL OF DISEASED
OR OTHERWISE ADULTERATED
CARCASSES AND PARTS

2. Section 311.2 is amended to read:

§ 311.2 Tuberculosis.

The following principles shall apply to the disposition of carcasses of livestock based on the difference in the pathogenesis of tuberculosis in swine, cattle, sheep, goats, and equines.

(a) *Carcasses condemned.* The entire carcass of swine, cattle, sheep, goats, and equines shall be condemned if any of the following conditions occur:

(1) When the lesions of tuberculosis are generalized (tuberculosis is considered to be generalized when the lesions are distributed in a manner made possible only by entry of the bacilli into the systemic circulation);

(2) When on ante mortem inspection the animal is observed to have a fever found to be associated with an active tuberculosis lesion on post mortem inspection;

(3) When there is an associated cachexia;

(4) When a tuberculosis lesion is found in any muscle or intermuscular tissue, or bone, or joint, or abdominal organ (excluding the gastrointestinal tract) or in any lymph node as a result of draining a muscle, bone, joint, or abdominal organ (excluding the gastrointestinal tract);

(5) When the lesions are extensive in tissues of either the thoracic or the abdominal cavity;

(6) When the lesions are multiple, acute, and actively progressive; or

(7) When the character or extent of the lesions otherwise is not indicative of a localized condition.

(b) *Organs or other parts condemned.* An organ or other part of a swine, cattle, sheep, goat, or equine carcass affected by localized tuberculosis shall be condemned when it contains lesions of tuberculosis or when the corresponding lymph node contains lesions of tuberculosis.

(c) *Carcasses of cattle passed without restriction for human food.* Carcasses of cattle may be passed without restriction for human food only when the carcass of an animal not identified as a reactor to a tuberculin test administered by an Animal and Plant Health Service, State, or accredited veterinarian¹ is found free of tuberculosis lesions during post-mortem inspection.

¹ Such testing is conducted in the tuberculosis eradication program of the Animal and Plant Health Service, U.S. Department of Agriculture.

(d) *Portions of carcasses and carcasses of cattle passed for cooking.* (1) When a cattle carcass reveals a tuberculosis lesion or lesions not so severe or so numerous as the lesions described in paragraph (a) of this section, the unaffected portion of the carcass may be passed for cooking in accordance with Part 315 of this chapter; if the character and extent of the lesions indicate a localized condition, and if the lesions are calcified or encapsulated, and provided the affected organ or other part is condemned.

(2) When the carcass of a cattle identified as a reactor to a tuberculin test administered by an Animal and Plant Health Service, State, or accredited veterinarian is found free of lesions of tuberculosis, the carcass may be passed for cooking in accordance with Part 315 of this chapter.

(e) *Portions of carcasses and carcasses of swine passed without restriction for human food.* Swine carcasses found free of tuberculosis lesions during post mortem inspection may be passed for human food without restriction. When tuberculosis lesions in any swine carcass are localized and confined to one primary seat of infection, such as the cervical lymph nodes, the mesenteric lymph nodes, or the mediastinal lymph nodes, the unaffected portion of the carcass may be passed for human food without restriction after the affected organ or other part is condemned.

(f) *Portions of carcasses of swine passed for cooking.* When the carcass of any swine reveals lesions more severe or more numerous than those described in paragraph (e) of this section, but not so severe or so numerous as the lesions described in paragraph (a) of this section, the unaffected portions of such carcass may be passed for cooking in accordance with Part 315 of this chapter; if the character and extent of the lesions indicate a localized condition, and if the lesions are calcified or encapsulated, and provided the affected organ or other part is condemned.

(g) *Carcasses of sheep, goats, and equines passed without restriction for human food.* Carcasses of sheep, goats, and equines may be passed without restriction for human food only if found free of tuberculosis lesions during post mortem inspection.

(h) *Portions of carcasses of sheep, goats, and equines passed for cooking.* If a carcass of any sheep, goat, or equine reveals a tuberculosis lesion or lesions that are not so severe or so numerous as the lesions described in paragraph (a) of this section, the unaffected portion of the carcass may be passed for cooking

in accordance with Part 315 of this chapter; if the character and extent of the lesions indicate a localized condition, and if the lesions are calcified or encapsulated, and provided the affected organ or other part is condemned.

PART 315—RENDERING OR OTHER DISPOSAL OF CARCASSES AND PARTS PASSED FOR COOKING

3. Section 315.2 is redesignated as § 315.3 and a new § 315.2 is added to read:

§ 315.2 Carcasses and parts passed for cooking; utilization for food purposes after cooking.

Carcasses and parts passed for cooking may be used for the preparation of meat food products, provided all such carcasses or parts are heated to a temperature not lower than 170° F. for a period of not less than 30 minutes either before being used in or during the preparation of the finished product.

(Sec. 21, 34 Stat. 1260, as amended, 21 U.S.C. 621; 29 F.R. 16210, as amended)

The foregoing amendments make more stringent the regulatory provisions for disposition of carcasses and parts thereof of animals affected with tuberculosis but allow their use in meat food products if they are passed for cooking and if they are subjected to specified heating procedures in lieu of rendering into lard or similar product. The amendments are deemed necessary and adequate to assure that meat and meat food products prepared at federally inspected establishments are wholesome and not adulterated. In order to accomplish their purpose and because of the nature of the problem and the urgency of the need for providing added consumer protection, the amendments should be made effective as soon as arrangements may be made for their implementation.

Therefore, under the administrative procedure provisions of 5 U.S.C. 553, it is found upon good cause that notice and other public procedure concerning the amendments are impracticable and contrary to the public interest and good cause is found for making them effective less than 30 days after publication hereof in the FEDERAL REGISTER. Therefore, the foregoing amendments shall become effective on February 14, 1972.

Done at Washington, D.C., on January 26, 1972.

RICHARD E. LYG, Assistant Secretary.

[FR Doc.72-1660 Filed 2-3-72; 8:48 am]