

CHAPTER 186

MEAT AND POULTRY INSPECTION

H. F. 658

AN ACT relating to meat and poultry inspection and making an appropriation therefor.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. This Act shall be known as the "Meat and Poultry
2 Inspection Act".

1 SEC. 2. For the purposes of this Act, unless the context otherwise
2 requires:

3 1. "Federal inspection" means the meat and poultry inspection
4 service conducted by the meat inspection branch or the poultry in-
5 spection branch of the United States department of agriculture.

6 2. "State inspection" means the meat and poultry inspection serv-
7 ice conducted by the department of agriculture of the state of Iowa.

8 3. "Person" means any individual, partnership, corporation, asso-
9 ciation, or any other business unit.

10 4. "Establishment" means all premises where animals or poultry
11 are slaughtered or otherwise prepared for food purposes, meat or
12 poultry canneries, sausage factories, smoking or curing operations,
13 and similar places.

14 5. "Animals" means cattle, calves, sheep, swine, rabbits, and goats.

15 6. "Poultry" means domesticated fowl and includes chickens, tur-
16 keys, ducks, geese, and any other domesticated birds used for human
17 food.

18 7. "Carcass" means all parts including viscera of slaughtered ani-
19 mals or poultry that are capable of being used for human food.

20 8. "Meat and poultry products" means the carcasses or parts of
21 carcasses of animals and poultry produced entirely or in substantial
22 part from such animals or poultry, including but not limited to such
23 products cooked, pressed, smoked, dried, pickled, frozen or similarly
24 processed.

25 9. "Wholesome" means sound, healthful, clean, and otherwise fit
26 for human food.

27 10. "Unwholesome" means:

28 a. Unsound, diseased, unclean, injurious to health, or otherwise
29 unfit for human food.

30 b. Consisting in whole or in part of any filthy, putrid, or decom-
31 posed substance.

32 c. Processed, prepared, packaged, or held under unsanitary condi-
33 tions whereby any animal or poultry carcass or parts thereof or any
34 meat or poultry products may have become contaminated, or whereby
35 a meat or poultry product has been rendered injurious to health.

36 d. Produced in whole or in part from animals or poultry which
37 show clinical evidence of disease or from animals or poultry which
38 have died other than by slaughter.

39 e. Produced in whole or in part in such manner that the product
40 contains any poisonous or deleterious substance which may render it
41 injurious to health.

42 f. Containing any poisonous or deleterious substance, unless such

43 substance is permitted in production or unavoidable under processing
44 practices as may be determined by rules and regulations prescribed
45 by the state department of agriculture or other provisions of law
46 limiting or tolerating the quantity of such added substance on or in
47 such product: provided however, that any quantity of such added
48 substance which exceeds the limits so established shall be considered
49 as adulteration and as unwholesome.

50 *g.* Any substance which has been substituted wholly or in part
51 therefor.

52 *h.* Damage or inferior quality which has been concealed in any
53 manner.

54 11. "Department" means the Iowa department of agriculture.

55 12. "Secretary" means the Iowa secretary of agriculture.

56 13. "Iowa inspected and passed" means the meat and poultry prod-
57 uct so stamped and identified has been inspected and passed under the
58 provisions of this Act and the rules and regulations pertaining thereto
59 and at the time of inspection and identification was found to be sound,
60 clean, wholesome, and free from disease.

61 14. "Iowa retained" means the meat and poultry product so identi-
62 fied is held for further clinical examination by a veterinary inspector
63 to determine its disposal.

64 15. "Iowa inspected and condemned" means the meat and poultry
65 product so identified and marked is unhealthful, diseased, unwhole-
66 some, or otherwise unfit for human food and shall be disposed of in
67 the manner prescribed by the department.

68 16. "Iowa suspect" means the animal or poultry so marked and
69 identified is suspected of being affected with a disease or condition
70 which may require its condemnation, in whole or in part when
71 slaughtered, and may be subject to further examination by an in-
72 spector to determine its disposal.

73 17. "Producer" means any person engaged in producing agricul-
74 tural products, but does not mean any person engaged in producing
75 agricultural products who:

76 *a.* Actively engages in buying or trading animals or poultry.

77 *b.* Actively engages directly or indirectly in conducting a business
78 which includes the slaughter of animals or poultry for sale for human
79 food purposes.

80 *c.* Actively engages, directly or indirectly, in canning, curing,
81 pickling, freezing, salting meat or poultry, or in preparing meat or
82 poultry products for sale.

83 18. "Product content" means the kind and amount of various in-
84 gredients included in any manufactured, fabricated, or processed
85 meat or poultry product.

86 19. "Label" means a statement or legend affixed to any meat or
87 poultry product bearing a list of ingredients used in the processing,
88 fabrication, or manufacture of such product and shall include the
89 processor's brand or trademark, place of doing business, inspection
90 legend, manner in which prepared or processed and instructions for
91 use or further preparation required.

92 20. "Inspector" means any person with authority designated by the
93 secretary to perform the functions of an inspector under the provi-
94 sions of this Act.

95 *a.* "Veterinary inspector" means a graduate veterinarian with ap-

96 appropriate training to perform the inspection functions under the
97 provisions of this Act.

98 *b.* "Meat inspector" means any nonveterinarian with the appro-
99 priate training to perform the inspection functions under the pro-
100 visions of this Act.

101 21. "Ingredient" means any item included in the manufacture,
102 processing, or fabrication of any meat or poultry product that is
103 normally consumed with the product or is used to impart flavor, tex-
104 ture, color, or other characteristics to the product.

1 SEC. 3. No person shall operate an establishment without first
2 securing a license from the department except as exempted by this
3 Act. The license fee shall be twenty-five (25) dollars for establish-
4 ments processing for sale or resale more than twenty thousand
5 (20,000) pounds of poultry, live weight, or twenty thousand (20,000)
6 pounds of processed, manufactured or fabricated meat or poultry
7 product, or more than two hundred thousand (200,000) pounds, live
8 weight, of other meat animals and ten (10) dollars for all other
9 establishments annually or for any part of a year. The funds shall
10 be deposited in the department of agriculture. The license year shall
11 be from July 1 to June 30. Applications for licenses shall be in writ-
12 ing on forms prescribed by the department.

1 SEC. 4. The provisions of this Act requiring inspection by the
2 secretary shall not apply:

3 1. To animals or poultry slaughtered by any producer on the farm,
4 nor to animals or poultry slaughtered for the owner thereof for the
5 personal or family use of such owner, or to bona fide gifts of meat by
6 such owner.

7 2. To retail dealers or retail butchers with respect to meat and
8 poultry products sold directly to consumers in retail stores; provided
9 that the only processing operation performed by such retail dealers
10 or retail butchers is the cutting up of meat or poultry products which
11 have been inspected under the provisions of this Act. Products,
12 product content, and labeling of all meat processed by chopping, can-
13 ning, curing, and similar methods of manufacture by these retail
14 dealers or retail butchers shall be subject to the provision of this Act
15 with the exception of the licensing under section three (3) of this
16 Act.

17 3. To establishments processing for sale or resale less than twenty
18 thousand (20,000) pounds of poultry, live weight, or twenty thousand
19 (20,000) pounds of processed, manufactured, or fabricated meat or
20 poultry products or two hundred thousand (200,000) pounds of other
21 meat animals, live weight, annually. Sections seven (7), eight (8)
22 and nine (9) of this Act shall not apply to these establishments,
23 provided that:

24 *a.* Such establishments register with the secretary.

25 *b.* Such establishments be subject to all of the provisions of this
26 Act and such regulations as prescribed by the secretary except as
27 herein exempted.

28 *c.* Such establishments be subject to periodic inspection as pre-
29 scribed by the secretary.

30 *d.* Such establishments mark and identify products produced there-
31 in in a manner prescribed by the secretary.

32 4. To establishments which operate subject to the Federal Meat
33 Inspection Act of March 4, 1907 and amendments thereto or under
34 the Federal Poultry Inspection Act of August 28, 1957.

35 5. Where the provisions are in conflict with the slaughtering or
36 dietary rules of any established religious group.

1 SEC. 5. The secretary shall administer this Act and shall employ
2 veterinarians to administer this Act and veterinarians licensed in the
3 state of Iowa as veterinary inspectors. The secretary is also author-
4 ized to employ as meat inspectors other persons who have qualified
5 and are skilled in the inspection of meat and poultry products and
6 any other additional employees he deems necessary to carry out the
7 provisions of this Act. The meat inspectors shall be under the super-
8 vision of a veterinary inspector. The secretary may also enter into
9 contracts with qualified individuals to perform inspection services as
10 he may designate for a fee per head or per unit volume to be deter-
11 mined by the secretary provided such persons are not employed in the
12 establishment in which the inspection takes place. The secretary may
13 utilize any employee, agent, or equipment of the department in the
14 enforcement of this Act, and may assign to inspectors other duties
15 related to the acceptance of meat and poultry products.

1 SEC. 6. The operator of any establishment shall require all em-
2 ployees of such establishment to have a health examination by a
3 physician and a certified health certificate for each employee shall be
4 kept on file by the operator. The secretary may at any time require
5 an employee of an establishment to submit to a health examination by
6 a physician. No person suffering from any communicable disease,
7 including any communicable skin disease, and no person with infected
8 wounds, and no person who is a "carrier" of a communicable disease
9 shall be employed in any capacity in an establishment. No person
10 shall work or be employed in or about any establishment during the
11 time in which a communicable disease exists in the home in which
12 such person resides unless such person has obtained a certificate from
13 a physician to the effect that no danger of public contagion or infec-
14 tion will result from the employment of such person in such estab-
15 lishment. Every person employed by an establishment and engaged
16 in direct physical contact with meat or poultry products during its
17 preparation, processing, or storage, shall be clean in person, wear
18 clean washable outer garments and a suitable cap or other head cov-
19 ering used exclusively in such work. Only persons specifically desig-
20 nated by the operator of an establishment shall be permitted to touch
21 meat or poultry products with their hands, and the persons so desig-
22 nated shall keep their hands scrupulously clean.

1 SEC. 7. The department shall, wherever slaughter operations are
2 conducted at an establishment, cause to be made by inspectors ante
3 mortem inspection of all animals and poultry in a manner prescribed
4 by the secretary. The owner or operator of any such establishment
5 shall furnish satisfactory facilities and assistance as may be required
6 by the secretary to facilitate such ante mortem inspection. Facilities
7 shall also be furnished for the holding of animals or poultry for
8 further clinical examination. Such animals or poultry held for re-
9 inspection shall be identified as "Iowa suspect" in a manner deter-

10 mined by the secretary. Following such reinspection as conducted
11 by a licensed and approved veterinarian and finding that the animals
12 or poultry show no symptoms of disease or other abnormal conditions
13 the animals or poultry may be released for slaughter. Upon rein-
14 spection and finding symptoms of disease or other abnormal condi-
15 tions which render the animals or poultry unfit for human food, the
16 animals or poultry shall be tagged or permanently identified as "Iowa
17 inspected and condemned" and unfit for human food and shall be dis-
18 posed of in a manner as prescribed by the secretary. Any person who
19 slaughters for human food such condemned animals or poultry is
20 guilty of a misdemeanor and shall be punished as provided by section
21 seventeen (17) of this Act. No owner or person shall be required to
22 hold animals or poultry for a longer period than seventy-two (72)
23 hours.

1 SEC. 8. The secretary shall provide post-mortem inspection of all
2 animals or poultry for human food in any establishment in this state
3 except as exempted by section four (4) of this Act. Under no cir-
4 cumstances shall the carcass of animals or poultry which have died
5 otherwise than by slaughter be brought into any room in which meat
6 or poultry products are processed, handled, or stored. The head,
7 tongue, tail, viscera, and other parts, and blood used in the prepara-
8 tion of meat or poultry products, or medicinal products shall be
9 retained in such a manner as to preserve their identity until after the
10 post-mortem examination has been completed. Carcasses and parts
11 thereof found to be sound, healthful, and wholesome after inspec-
12 tion and otherwise fit for human food shall be passed and may be
13 marked in the following manner: "Iowa inspected and passed".
14 These marks may also include any number given the establishment by
15 the department. Each carcass or part thereof which is found on post-
16 mortem inspection to be unsound, unhealthful, unwholesome, or
17 otherwise unfit for human food shall be marked conspicuously by the
18 inspector at the time of inspection with the words, "Iowa inspected
19 and condemned" and such carcasses or parts thereof, under the super-
20 vision of an inspector, shall be rendered unfit for human consumption
21 in a manner approved by the secretary. All unborn or stillborn ani-
22 mals shall be condemned and no hide, skin or any other part thereof
23 shall be removed within a room where edible meat or poultry products
24 are handled or prepared.

1 SEC. 9. The secretary may require operations at licensed estab-
2 lishments to be conducted during reasonable hours. The owner or
3 operator of each licensed establishment shall keep the secretary in-
4 formed in advance of intended hours of operation.

1 SEC. 10. All meat or poultry products in channels of trade,
2 whether fresh, frozen, smoked, cured, pickled, or otherwise prepared
3 even though previously inspected and passed, shall be subject to re-
4 inspection by inspectors of the department as often as may be neces-
5 sary in order to determine whether such meat or poultry products are
6 maintained in a healthful, wholesome condition and fit for human
7 food. All meat imported from foreign countries for processing or
8 consumption in Iowa shall be subject to reinspection in a manner
9 prescribed by the secretary. If upon reinspection any meat or poultry

10 product is found to have become unsound, unhealthy, or unwhole-
11 some or in any way unfit for human food it shall be condemned:
12 provided, that when meat or poultry products are found to be affected
13 by any unsound or unwholesome condition that can be satisfactorily
14 removed by methods approved by the secretary, such meat or poultry
15 product may be so reconditioned under the direction of an inspector.
16 If upon final inspection the meat or poultry product is found to be
17 sound and wholesome, it shall be approved for human food; otherwise
18 it shall be condemned.

19 It is unlawful for any person except employees of the United States
20 department of agriculture, the department or other authorized state
21 or federal agencies, to possess, use, or keep an inspection stamp,
22 mark, or brand provided or used for stamping, marking, branding,
23 or otherwise identifying carcasses of meat or poultry products, or
24 to possess, use or keep any stamp, mark or brand having thereon a
25 device, words, or insignia the same or similar in character or import
26 to the stamps, marks, or brands provided or used by the United States
27 department of agriculture, or the department for stamping, marking,
28 branding or otherwise identifying the carcasses of meat or poultry
29 products or parts thereof intended for human food.

1 SEC. 11. No person shall deny access to any authorized inspectors
2 upon the presentation of proper identification at any reasonable time
3 to establishments and to all parts of such premises for the purposes
4 of making inspections under this Act.

5 When meat has been inspected and approved by the department,
6 such inspection must be accepted by state agencies and political sub-
7 divisions of the state and no other inspection can be required.

1 SEC. 12. The secretary is hereby authorized to prohibit the en-
2 trance into channels of trade of any meat or poultry products found
3 to be unwholesome, improperly labeled, or otherwise not in accord-
4 ance with the provisions of this Act or the rules and regulations
5 established hereunder. Any meat or poultry product found in chan-
6 nels of trade by an inspector which is not in compliance with the
7 provisions of this Act shall be subject to seizure and confiscation by
8 the department. Seized and confiscated meat and poultry products
9 shall be condemned unless it is of such character that it can be made
10 to conform with the provisions of this Act by methods approved by
11 the secretary. Condemned meat or poultry products shall be effec-
12 tively destroyed for human food purposes by the owner of the meat
13 or poultry product under the supervision of an inspector in such
14 manner as the secretary may prescribe.

1 SEC. 13. The secretary shall promulgate such rules and regula-
2 tions as may be necessary for the effective administration of this Act.

1 SEC. 14. Final administrative decisions of the department may be
2 appealed to the district court.

1 SEC. 15. The secretary is hereby authorized to co-operate with all
2 other agencies, federal and state, in order to carry out the effective
3 administration of this Act.

1 SEC. 16. The secretary shall promulgate rules and regulations
2 pertaining to the product content, product definition, and labeling of

3 all processed, fabricated, and manufactured meat or poultry products.
4 Any meat or poultry product fabricated from two (2) or more ingre-
5 dients shall bear a label on which shall be plainly listed by their com-
6 mon name in descending order of preponderance all ingredients used
7 in preparing such product, except that spices need not be individually
8 listed but may be grouped under the term "spices". All such ingredi-
9 ents which are derivatives of meat or poultry shall be obtained only
10 from animals or poultry inspected as required by this Act.

1 SEC. 17. Any person violating any of the provisions of this Act
2 or the rules and regulations established under this Act, or selling,
3 offering for sale, or transporting any meat or poultry products which
4 are diseased, unsound, unhealthful, unwholesome, or otherwise unfit
5 for human food, knowing that such meat or poultry products are
6 intended for human consumption, upon conviction shall be deemed
7 guilty of a misdemeanor. For the first offense such person shall be
8 punished by a fine of not less than one hundred (100) dollars nor
9 more than five hundred (500) dollars; for the second offense, and
10 for each subsequent offense, by a fine of not less than two hundred
11 (200) dollars nor more than one thousand (1,000) dollars or im-
12 prisonment for a period of not more than one (1) year, or both such
13 fine and imprisonment at the discretion of the court. The secretary
14 is authorized to refuse, suspend, or revoke a licence for violations by
15 an establishment of the provisions of this Act or the rules and regu-
16 lations issued hereunder.

1 SEC. 18. It shall be the policy of the secretary of agriculture to
2 require inspectors and individuals providing meat inspection services
3 under this Act to actively seek the cooperation of slaughter plant
4 operators in the use of humane slaughter practices, taking into con-
5 sideration all practical problems involved. All meat inspectors or
6 individuals performing such services shall in their reports to the
7 secretary, make note of the slaughter facilities and practices followed
8 in the various slaughter plants.

1 SEC. 19. The secretary of agriculture shall report to the members
2 of the Sixty-second General Assembly his findings and any recom-
3 mendations he may wish to make in regard to humane slaughter of
4 livestock practices within the state.

1 SEC. 20. If any section, subsection, clause, provision, or portion
2 of this Act shall be held to be invalid or unconstitutional by any court
3 of competent jurisdiction or the applicability thereof to any person,
4 substance, or product is held invalid, such holding shall not affect
5 any other section, subsection, clause, provision, or portion of this Act,
6 or any other person, substance, or product covered by the provisions
7 of the Act.

1 SEC. 21. There is hereby appropriated to the department of agri-
2 culture for the fiscal year beginning July 1, 1966 and ending June 30,
3 1967 the sum of two hundred fifty thousand (250,000) dollars, or so
4 much thereof as may be necessary, for the purposes of carrying out

5 the provisions of this Act. Any unused portion of this appropriation
6 shall revert to the general fund of the state.

1 SEC. 22. This Act shall take effect July 1, 1966.

Approved June 30, 1965.

CHAPTER 187

STANDARDS FOR CHEESE

H. F. 327

AN ACT relating to the specifications and standards for cheeses and cheese products.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one hundred ninety point one (190.1), Code
2 1962, is hereby amended by striking from line seven (7) of subsection
3 four (4) of such section the number "1960" and inserting in lieu
4 thereof the number "1964".

Approved April 12, 1965.

CHAPTER 188

FROZEN DESSERTS

S. F. 508

AN ACT relating to frozen desserts.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one hundred ninety point one (190.1), Code
2 1962, is hereby amended as follows:
3 1. By striking from line ten (10) of subsection thirty-two (32) of
4 such section the word "twelve" and inserting in lieu thereof the word
5 "ten (10)".
6 2. By striking from line four (4) of subsection thirty-three (33) of
7 such section the word "twelve" and inserting in lieu thereof the word
8 "ten (10)".
9 3. By striking from line eleven (11) of subsection thirty-three (33)
10 of such section the word "ten" and inserting in lieu thereof the word
11 "eight (8)".
12 4. By striking from line seven (7) of paragraph *e* of subsection
13 thirty-four (34) of such section the word "twelve" and inserting in
14 lieu thereof the word "ten (10)".
15 5. By striking from lines thirteen (13) and fourteen (14) of para-
16 graph *a* of subsection thirty-five (35) of such section the words "three
17 and one-fourth percent and not more than six" and inserting in lieu
18 thereof the words "two (2) percent and not more than seven (7)".
19 6. By striking from subsection thirty-five (35) of such section para-
20 graph *b* and paragraph *c*.