

CHAPTER 76
MEAT AND POULTRY INSPECTION
[Prior to 7/27/88 see Agriculture Department 30—Ch 43]

21—76.1(189A) Federal Wholesome Meat Act regulations adopted. Part 301 of Title 9, Chapter III, of the Code of Federal Regulations, revised as of December 31, 2020, is hereby adopted in its entirety by reference; and in addition thereto, the following subsections shall be expanded to include:

1. Sec. 301.2(a) therein defining the term “Act” shall include the Iowa meat and poultry inspection Act, Iowa Code chapter 189A.
2. Sec. 301.2(b) therein defining the term “department” shall include the Iowa department of agriculture and land stewardship.
3. Sec. 301.2(c) therein defining the term “secretary” shall include the secretary of agriculture of the state of Iowa.
4. Sec. 301.2(e) therein defining the term “administrator” shall include the supervisor of the Iowa meat and poultry inspection service or any officer or employee of the Iowa department of agriculture and land stewardship.
5. Sec. 301.2(t) therein defining the term “commerce” shall include intrastate commerce in the state of Iowa.

6. Sec. 301.2(u) therein defining the term “United States” shall include the state of Iowa.
[ARC 9012B, IAB 8/25/10, effective 9/29/10; ARC 0733C, IAB 5/15/13, effective 6/19/13; ARC 2439C, IAB 3/16/16, effective 4/20/16; ARC 4261C, IAB 1/30/19, effective 3/6/19; ARC 5839C, IAB 8/11/21, effective 9/15/21]

21—76.2(189A) Federal Wholesome Meat Act regulations adopted. Part 303, Part 304, Part 305, Part 306, Parts 308 through 315, Parts 317 through 320, Part 329, Part 332, Part 412, Part 416, Part 417, Part 418, Part 424, Part 430, Part 431, Part 441 and Part 442 of Title 9, Chapter III, of the Code of Federal Regulations, revised as of December 31, 2020, are hereby adopted in their entirety by reference. Part 307 except Sections 307.5 and 307.6 and Part 325 except Sections 325.3 and 325.12 of Title 9, Chapter III, of the Code of Federal Regulations, revised as of July 30, 2018, are hereby adopted in their entirety by reference. Part 500 of Title 9, Chapter III, of the Code of Federal Regulations, revised as of January 1, 2016, is adopted by reference, except that references in Sections 500.5, 500.6, 500.7, and 500.8 to the federal Uniform Rules of Practice are not adopted.

This rule is intended to implement Iowa Code sections 189A.3 and 189A.7(8).
[ARC 9012B, IAB 8/25/10, effective 9/29/10; ARC 0733C, IAB 5/15/13, effective 6/19/13; ARC 1546C, IAB 7/23/14, effective 8/27/14; ARC 2439C, IAB 3/16/16, effective 4/20/16; ARC 2880C, IAB 1/4/17, effective 2/8/17; ARC 4261C, IAB 1/30/19, effective 3/6/19; ARC 4790C, IAB 12/4/19, effective 1/8/20; ARC 5839C, IAB 8/11/21, effective 9/15/21]

21—76.3(189A) Federal Poultry Products Inspection Act regulations adopted. Part 381, Title 9, Chapter III, of the Code of Federal Regulations, revised as of December 31, 2020, is hereby adopted in its entirety with the following exceptions: Sections 381.96, 381.97, 381.99, 381.101, 381.102, 381.104, 381.105, 381.106, 381.107, and 381.128, Subpart R, Subpart T, Subpart V, and Subpart W; and in addition thereto, the following subsections shall be expanded to include:

1. Sec. 381.1(b)(2) therein defining the term “Act” shall include the Iowa meat and poultry inspection Act, Iowa Code chapter 189A.
2. Sec. 381.1(b)(3) therein defining the term “administrator” shall include the supervisor of the Iowa meat and poultry inspection service, or any officer or employee of the Iowa department of agriculture and land stewardship.
3. Sec. 381.1(b)(10) therein defining the term “commerce” shall include intrastate commerce in the state of Iowa.
4. Sec. 381.1(b) therein defining the term “department” shall include the Iowa department of agriculture and land stewardship.
5. Sec. 381.1(b)(47) therein defining the term “secretary” shall include the secretary of agriculture of the state of Iowa.

6. Sec. 381.1(b)(53) therein defining the term “United States” shall include the state of Iowa. [ARC 9012B, IAB 8/25/10, effective 9/29/10; ARC 0733C, IAB 5/15/13, effective 6/19/13; ARC 2439C, IAB 3/16/16, effective 4/20/16; ARC 4261C, IAB 1/30/19, effective 3/6/19; ARC 5839C, IAB 8/11/21, effective 9/15/21]

These rules are intended to implement Iowa Code sections 189A.3 and 189A.7(8).

21—76.4(189A) Inspection required. Every establishment except as provided in Section 303.1(a), (b), (c) and (d) of Title 9, Chapter III, Subchapter A, of the Code of Federal Regulations, revised as of July 30, 2018, in which slaughter of livestock or poultry, or the preparation of livestock products or poultry products is maintained for transportation or sale in commerce, shall be subject to the inspection and other requirements of those parts of Title 9, Chapter III, Subchapter A, of the Code of Federal Regulations, revised as of July 30, 2018, enumerated in rules 21—76.1(189A), 21—76.2(189A) and 21—76.3(189A).

This rule is intended to implement Iowa Code sections 189A.4 and 189A.5. [ARC 9012B, IAB 8/25/10, effective 9/29/10; ARC 0733C, IAB 5/15/13, effective 6/19/13; ARC 2439C, IAB 3/16/16, effective 4/20/16; ARC 4261C, IAB 1/30/19, effective 3/6/19]

21—76.5(189A) Custom/exempt facilities sanitation standard operating procedures. Iowa inspected custom/exempt facilities shall develop and implement a sanitation standard operating procedure (SSOP) in a manner consistent with Section 416.12, Title 9, Chapter III, Code of Federal Regulations.

21—76.6(189A) Forms and marks. Whenever an official form is designated by federal regulation, the appropriate Iowa form will be substituted, and whenever an official mark is designated, the following official Iowa marks will be substituted:

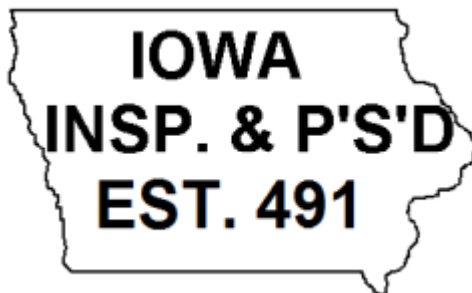
1. Iowa inspected and condemned brand:

**IOWA INSP'D AND
CONDEMNED**

2. Iowa product label mark of inspection for amenable species:



3. Iowa inspected carcass brand for amenable species (excluding poultry): Stamp (brand) must be 1¾ inch tall. The wording shall be all the same height and fill the space inside and centered within the outline of the state of Iowa.



4. Exotic carcass brand:



5. Exotic product label mark of inspection:



6. Notwithstanding any other provision of this rule, a red meat establishment that is a selected establishment under 9 CFR Part 332 shall use the official marks, devices, and certificates in 9 CFR Part 312 for products that are intended for interstate commerce with the modifications described in 9 CFR Sec. 332.5(c).

- a. Cooperative Interstate Shipment program product label mark of inspection:



b. Cooperative Interstate Shipment program carcass brand. Sizing of brands shall be as described in 9 CFR Sec. 312.2(a), except that the 1¼" brand shall be utilized in lieu of the ¾" brand:



7. Notwithstanding any other provision of this rule, a poultry establishment that is a selected establishment under 9 CFR Part 381, Subpart Z, shall use the official marks, devices, and certificates in 9 CFR Part 381, Subpart M, for products that are intended for interstate commerce with the modifications described in 9 CFR Sec. 381.515(c). Cooperative Interstate Shipment program poultry product label mark of inspection:



This rule is intended to implement Iowa Code section 189A.5(2).
[ARC 4790C, IAB 12/4/19, effective 1/8/20; ARC 5839C, IAB 8/11/21, effective 9/15/21]

21—76.7(189A) Products to be marked with official marks.

76.7(1) 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.

76.7(2) Except as provided otherwise in 9 CFR Part 316.8, each primal part of a carcass 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 such inspected and passed product shall be marked with the official inspection legend containing the number of the official establishment where it was last prepared. 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. Equine primal parts are the round, flank, loin, rib, plate, brisket, chuck, and shank.

76.7(3) Beef livers shall be marked with the official inspection legend containing the number of the official establishment at which the cattle involved were slaughtered. Beef livers shall be marked on the convex surface of the thickest portion of the organ.

76.7(4) Inspected and passed parts of carcasses which are not marked with the official inspection legend under this rule shall not enter any official establishment or be sold, transported, or offered for sale or transportation in commerce except as provided in 9 CFR Part 316.8.

This rule is intended to implement Iowa Code section 189A.5(2).
[ARC 5839C, IAB 8/11/21, effective 9/15/21]

21—76.8(189A,167) Registration. Every person engaged in business in or for intrastate commerce as a broker, renderer, animal food manufacturer, or wholesaler or public warehouse of livestock or poultry products, or engaged in the business of buying, selling or transporting in intrastate commerce any dead, dying, disabled or diseased livestock or poultry or parts of the carcasses of such animals, including poultry, that died otherwise than by slaughter, shall register with the meat and poultry section, department of agriculture and land stewardship, indicating the name and address of each place of business and all trade names.

This rule is intended to implement Iowa Code section 189A.7(7).
[ARC 5839C, IAB 8/11/21, effective 9/15/21]

21—76.9(189A,167) Dead, dying, disabled or diseased animals. Persons shall not engage in the business of buying, selling, transporting in intrastate commerce, dead, dying, disabled or diseased animals, or any parts of the carcasses of any animal, unless they have been licensed for the purpose of disposing of the bodies of dead animals pursuant to Iowa Code section 167.2. All persons so engaged are subject to the provisions of Iowa Code chapter 167 and regulations of 21—Chapter 61, “Dead Animal Disposal,” Iowa Administrative Code.

76.9(1) All rendering plants engaged in processing fallen or dead animals into pet food and pet food processing plants shall be inspected by the meat and poultry section in accordance with Iowa Code chapter 167 before registration is approved.

76.9(2) The plant shall engage the services of a licensed veterinarian, approved by the department, to inspect carcasses for the presence of communicable disease or harmful contamination or adulteration and evidence of decomposition. Any of these conditions shall be cause for the carcass to be condemned as unfit for processing into pet animal food.

All compensation for the veterinarian employed by the rendering plant and pet animal food processing plants processing inedible meat and carcass parts for pet food shall be paid by the plant.

76.9(3) Fallen or dead animals which are recovered and transported to the processing plant shall be immediately skinned and eviscerated, except the lungs, heart, kidneys and liver, which shall be left attached to the carcass, and the carcasses shall be stored in a chill room with attached viscera until inspected and approved by a veterinary inspector. The stomach or stomachs, together with the entire intestinal tract, shall be tagged immediately with serially numbered tags and stamped with the word “inedible.” The word “inedible” shall be not less than one-half inch high. Condemned carcasses shall be deeply slashed on the round, rump, loin and shoulder, denatured with a ten percent solution of cresylic acid or other decharacterizing agent approved by the department of agriculture and land stewardship and removed to a rendering plant prior to the close of the working day.

76.9(4) The department shall inspect each place registered under Iowa Code chapter 189A or licensed under Iowa Code chapter 167 at least once a year, and as often as it deems necessary and shall see that the registrant conducts the business in conformity to both chapters and these rules.

76.9(5) Rendering plants and pet animal food processing plants may process fallen or dead animals into pet food where the animals are recovered and transported to a processing plant within a reasonable time following the death of an animal and before decomposition occurs.

76.9(6) Processing facilities, when located in or operated in conjunction with a rendering plant, shall be in a separate area equipped and used only for skinning, eviscerating, deboning, grinding, decharacterizing, packaging and labeling of inedible meat and carcass parts to be used in pet animal food. Rendering facilities approved by the department shall be available to process materials not suitable for pet animal food.

76.9(7) These rules shall also govern the collection, transportation and processing of other inedible material such as lungs, livers, hearts, spleens, poultry and poultry parts obtained from slaughterhouses, packing plants or other sources, to be used in the processing and manufacture of pet animal food.

This rule is intended to implement Iowa Code sections 189A.8, 167.5 and 167.14.
[ARC 5839C, IAB 8/11/21, effective 9/15/21]

21—76.10(189A) Denaturing and identification of livestock or poultry products not intended for use as human food. No person shall buy, sell, transport, or offer for sale or transportation, or receive for transportation, in intrastate commerce any livestock products or poultry products which are not intended for use as human food unless they are denatured or otherwise identified.

76.10(1) All inedible meat and carcass parts shall be adequately decharacterized with charcoal or with other suitable agent acceptable to the Iowa department of agriculture and land stewardship. Inedible material shall be cut into pieces or chunks no more than four inches in any dimension. Following decharacterization, inedible meat and carcass parts shall be packed in suitable containers approved by the department.

76.10(2) Decharacterizing shall be done to an extent acceptable to the department. Decharacterization shall be done in such a manner that each piece of material shall be decharacterized so as to preclude its being used for, or mistaken for, product for human consumption.

76.10(3) All containers for decharacterized inedible meat or carcass parts shall be plainly marked with the word “inedible” in letters no less than two inches high.

76.10(4) Decharacterized inedible meat and carcass parts shall be frozen or held at a temperature of 40°F or less in the processing plant or during transportation to the final processor.

This rule is intended to implement Iowa Code section 189A.8.
[ARC 5839C, IAB 8/11/21, effective 9/15/21]

21—76.11(189A,167) Transportation of decharacterized inedible meat or carcass parts. No person engaged in the business of buying, selling or transporting in intrastate commerce, dead, dying, disabled or diseased animals, or any parts of the carcasses of any animals that died otherwise than by slaughter, or any other inedible product not intended for use as human food, shall buy, sell, transport, offer for sale or transportation or receive for transportation in such commerce, any dead, dying, disabled or diseased livestock or poultry or the products of any such animals that died otherwise than by slaughter, or any other inedible product not intended for use as human food, unless such transaction or transportation is made in accordance with Iowa Code chapters 167 and 189A and 21—Chapters 61 and 76.

76.11(1) All carcasses and other inedible material received for processing, and all decharacterized inedible material shipped from the plant, shall be transported and delivered in closed conveyances. The conveyance shall be constructed in such a manner as to prevent the spillage of liquids and material and in accordance with rules 21—61.15(167) and 21—61.16(167), Iowa Administrative Code.

76.11(2) Rendering plants and pet animal food processing plants outside the state of Iowa, from which decharacterized inedible meat or carcass parts are shipped into the state of Iowa, shall be certified by the proper public officials of the state of origin that the processing plants meet at least the minimum standards as set forth in these rules.

This rule is intended to implement Iowa Code sections 189A.8 and 167.15.
[ARC 5839C, IAB 8/11/21, effective 9/15/21]

21—76.12(189A) Records. Records which fully and correctly disclose all transactions involved in their business shall be kept and retained for a period of no less than two years by the following classes of persons:

Any person that engages in intrastate commerce in the business of slaughtering any livestock or poultry, or preparing, freezing, packaging or labeling, buying or selling, transporting or storing any livestock or poultry products for human or animal food;

Any person that engages in intrastate commerce in business as a renderer or in the business of buying, selling or transporting any dead, dying, disabled or diseased carcasses of such animals or parts of carcasses of any such animals, including poultry, that died otherwise than by slaughter.

76.12(1) All such persons shall afford the secretary and authorized representatives access to such business and opportunity at all reasonable times to examine the facilities, inventory and records thereof, to copy the records and to take reasonable samples of the inventory, upon payment of the reasonable value therefor.

76.12(2) Records shall include the following:

a. The name and address of the owner, the approximate time of death of the animal and the date the animal was received for processing shall be recorded for all animals to be inspected for processing into pet animal food.

b. The number of cartons or containers and the approximate weight of other material received from slaughterhouses, packing plants and other sources to be used in the processing of pet animal food.

c. The number of cartons, packages or containers of processed inedible meat and carcass parts and the weight of each carton stored.

d. Date of shipment, number of containers or boxes, weight of each shipment and name and address of the consignee of all inedible and decharacterized material shipped from the plant.

This rule is intended to implement Iowa Code section 189A.5(2) "g."

[ARC 5839C, IAB 8/11/21, effective 9/15/21]

21—76.13(189A) Voluntary inspections of exotic animals. Every person wishing to obtain voluntary inspection of exotic animals shall comply with the regulations adopted in this rule.

Part 352 of Title 9, Chapter III, of the Code of Federal Regulations, revised as of January 1, 2016, is hereby adopted in its entirety by reference.

This rule is intended to implement Iowa Code chapter 189A.

[ARC 9012B, IAB 8/25/10, effective 9/29/10; ARC 0733C, IAB 5/15/13, effective 6/19/13; ARC 2439C, IAB 3/16/16, effective 4/20/16]

21—76.14(189A) Federal Wholesome Meat Act regulations adopted for the regulation of farm deer.

1. All federal regulations adopted in 21—76.1(189A).

2. All federal regulations adopted in 21—76.2(189A), except Part 303 and Part 307.4(c) of Title 9, Chapter III, of the Code of Federal Regulations, revised as of January 1, 2016.

This rule is intended to implement Iowa Code chapters 170 and 189A.

[ARC 9012B, IAB 8/25/10, effective 9/29/10; ARC 0733C, IAB 5/15/13, effective 6/19/13; ARC 2439C, IAB 3/16/16, effective 4/20/16]

21—76.15(189A) Fees. Rescinded IAB 7/21/04, effective 7/2/04.

[Filed 7/12/66; amended 11/14/66, 9/26/67, 2/20/71, 4/20/72, 7/30/73]

[Filed 4/13/76, Notice 2/9/76—published 5/3/76, effective 6/7/76]

[Filed 6/29/76, Notice 5/17/76—published 7/12/76, effective 8/17/76]

[Filed without Notice 8/19/76—published 9/8/76, effective 10/13/76]

[Filed 2/15/83, Notice 1/5/83—published 3/2/83, effective 4/6/83]

[Filed 1/13/84, Notice 12/7/83—published 2/1/84, effective 3/7/84]

[Filed emergency 5/22/85—published 6/19/85, effective 5/22/85]

[Filed 7/25/85, Notice 6/19/85—published 8/14/85, effective 9/18/85]

[Filed emergency 7/8/88 after Notice 6/1/88—published 7/27/88, effective 7/8/88]

[Filed emergency 10/9/91—published 10/30/91, effective 10/9/91]

[Filed 11/8/91, Notice 9/18/91—published 11/27/91, effective 1/1/92]

[Filed 11/3/95, Notice 9/27/95—published 11/22/95, effective 12/27/95]

[Filed 2/7/97, Notice 12/4/96—published 2/26/97, effective 4/2/97]

[Filed 12/24/98, Notice 11/4/98—published 1/13/99, effective 2/17/99]

[Filed 3/30/01, Notice 1/24/01—published 4/18/01, effective 5/23/01]

[Filed emergency 9/5/03—published 10/1/03, effective 9/5/03]

[Filed 11/7/03, Notice 10/1/03—published 11/26/03, effective 12/31/03]

[Filed emergency 7/2/04—published 7/21/04, effective 7/2/04]

[Filed 8/11/04, Notice 5/26/04—published 9/1/04, effective 10/6/04]

[Filed 10/2/08, Notice 8/13/08—published 10/22/08, effective 11/26/08]

[Filed ARC 9012B (Notice ARC 8842B, IAB 6/16/10), IAB 8/25/10, effective 9/29/10]
[Filed ARC 0733C (Notice ARC 0634C, IAB 3/6/13), IAB 5/15/13, effective 6/19/13]
[Filed ARC 1546C (Notice ARC 1468C, IAB 5/28/14), IAB 7/23/14, effective 8/27/14]
[Filed ARC 2439C (Notice ARC 2369C, IAB 1/20/16), IAB 3/16/16, effective 4/20/16]
[Filed ARC 2880C (Notice ARC 2803C, IAB 11/9/16), IAB 1/4/17, effective 2/8/17]
[Filed ARC 4261C (Notice ARC 4150C, IAB 12/5/18), IAB 1/30/19, effective 3/6/19]
[Filed ARC 4790C (Notice ARC 4697C, IAB 10/9/19), IAB 12/4/19, effective 1/8/20]
[Filed ARC 5839C (Notice ARC 5652C, IAB 6/2/21), IAB 8/11/21, effective 9/15/21]