

hereby provided for and of all carcasses and parts thereof, and of all meats and meat food products thereof, and of the sanitary conditions of all establishments in which such meat and meat food products hereinbefore described are prepared; and said inspectors shall refuse to stamp, mark, tag, or label any carcass or any part thereof, or meat food product therefrom, prepared in any establishment hereinbefore mentioned, until the same shall have actually been inspected and found to be not adulterated; and shall perform such other duties as are provided by this chapter and by the rules and regulations to be prescribed by said Secretary; and said Secretary shall, from time to time, make such rules and regulations as are necessary for the efficient execution of the provisions of this chapter, and all inspections and examinations made under this chapter, shall be such and made in such manner as described in the rules and regulations prescribed by said Secretary not inconsistent with provisions of this chapter.

(Mar. 4, 1907, ch. 2907, title I, §21, formerly 19th par., 34 Stat. 1264; renumbered §21 and amended Pub. L. 90-201, §§1, 3(b), 12(a), (i), Dec. 15, 1967, 81 Stat. 584, 588, 592, 593; Pub. L. 99-641, title IV, §403(d)(2), Nov. 10, 1986, 100 Stat. 3570; Pub. L. 109-97, title VII, §798(a)(1), Nov. 10, 2005, 119 Stat. 2166.)

CODIFICATION

Section was formerly classified to section 89 of this title.

AMENDMENTS

2005—Pub. L. 109-97 substituted “amenable species” for “cattle, sheep, swine, goats, horses, mules, and other equines”.

1986—Pub. L. 99-641 temporarily substituted “thereof, and of meat food products” for “and meat food products”, which substitution was made for the first such reference as the probable intent of Congress. See Effective and Termination Dates of 1986 Amendment note below.

1967—Pub. L. 90-201, §§3(b), 12(a), (i), struck out “of Agriculture” after “Secretary” in four places, included horses, mules, and other equines in the list of animals, and substituted “not adulterated” for “sound, healthful, wholesome, and fit for human food, and to contain no dyes, chemicals, preservatives, or ingredients which render such meat food product unsound, unhealthful, unwholesome, or unfit for human food; and to have been prepared under proper sanitary conditions, hereinbefore provided for”, respectively.

EFFECTIVE DATE OF 2005 AMENDMENT

Amendment by Pub. L. 109-97 effective the day after 120 days after Nov. 10, 2005, see section 798(b) of Pub. L. 109-97, set out as a note under section 601 of this title.

EFFECTIVE AND TERMINATION DATES OF 1986 AMENDMENT

Pub. L. 99-641, title IV, §403(d)(2), Nov. 10, 1986, 100 Stat. 3570, provided that the amendment made by that section is effective only during the 6-year period beginning on Nov. 10, 1986.

Amendment by Pub. L. 99-641 effective Nov. 10, 1986, except that this section as in effect immediately before Nov. 10, 1986, applies with respect to establishments until the Secretary of Agriculture first issues rules and regulations to implement the amendments made by section 403(a) of Pub. L. 99-641 to section 606 of this title, see section 408 of Pub. L. 99-641, set out as a note under section 609 of this title.

EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90-201 effective Dec. 15, 1967, except that with respect to equines (other than horses) and their carcasses and parts thereof, meat, and meat food products thereof, amendment effective upon expiration of sixty days after Dec. 15, 1967, see section 20(b) of Pub. L. 90-201, set out as an Effective Date note under section 601 of this title.

CONSTRUCTION AND EFFECT OF AMENDMENTS BY PUB. L. 99-641

For provisions relating to construction and effect of temporary amendments by section 403 of Pub. L. 99-641, see sections 403(e) and 404 of Pub. L. 99-641, set out as notes entitled “Inspection Services for Establishments Not Participating in Total Plant Quality-Control Program” and “Savings Provision”, respectively, under section 609 of this title.

§ 622. Bribery of or gifts to inspectors or other officers and acceptance of gifts

Any person, firm, or corporation, or any agent or employee of any person, firm, or corporation, who shall give, pay, or offer, directly or indirectly, to any inspector, deputy inspector, chief inspector, or any other officer or employee of the United States authorized to perform any of the duties prescribed by this chapter or by the rules and regulations of the Secretary any money or other thing of value, with intent to influence said inspector, deputy inspector, chief inspector, or other officer or employee of the United States in the discharge of any duty provided for in this chapter, shall be deemed guilty of a felony, and, upon conviction thereof, shall be punished by a fine not less than \$5,000 nor more than \$10,000 and by imprisonment not less than one year nor more than three years; and any inspector, deputy inspector, chief inspector, or other officer or employee of the United States authorized to perform any of the duties prescribed by this chapter who shall accept any money, gift, or other thing of value from any person, firm, or corporation, or officers, agents, or employees thereof, given with intent to influence his official action, or who shall receive or accept from any person, firm, or corporation engaged in commerce any gift, money, or other thing of value, given with any purpose or intent whatsoever, shall be deemed guilty of a felony and shall, upon conviction thereof, be summarily discharged from office and shall be punished by a fine not less than \$1,000 nor more than \$10,000 and by imprisonment not less than one year nor more than three years.

(Mar. 4, 1907, ch. 2907, title I, §22, formerly 20th par., 34 Stat. 1264; renumbered §22 and amended Pub. L. 90-201, §§1, 3, Dec. 15, 1967, 81 Stat. 584, 588.)

CODIFICATION

Section was formerly classified to section 90 of this title.

AMENDMENTS

1967—Pub. L. 90-201, §3, struck out “interstate or foreign” before “commerce” and “of Agriculture” after “Secretary”.

EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90-201 effective Dec. 15, 1967, except that with respect to equines (other than horses)

and their carcasses and parts thereof, meat, and meat food products thereof, amendment effective upon expiration of sixty days after Dec. 15, 1967, see section 20(b) of Pub. L. 90-201, set out as an Effective Date note under section 601 of this title.

§ 623. Exemptions from inspection requirements

(a) Personal slaughtering and custom slaughtering for personal, household, guest, and employee uses

The provisions of this subchapter requiring inspection of the slaughter of animals and the preparation of the carcasses, parts thereof, meat and meat food products at establishments conducting such operations for commerce shall not apply to the slaughtering by any person of animals of his own raising, and the preparation by him and transportation in commerce of the carcasses, parts thereof, meat and meat food products of such animals exclusively for use by him and members of his household and his nonpaying guests and employees; nor to the custom slaughter by any person, firm, or corporation of cattle, sheep, swine or goats delivered by the owner thereof for such slaughter, and the preparation by such slaughterer and transportation in commerce of the carcasses, parts thereof, meat and meat food products of such animals, exclusively for use, in the household of such owner, by him and members of his household and his nonpaying guests and employees; nor to the custom preparation by any person, firm, or corporation of carcasses, parts thereof, meat or meat food products, derived from the slaughter by any person of cattle, sheep, swine, or goats of his own raising, or from game animals, delivered by the owner thereof for such custom preparation, and transportation in commerce of such custom prepared articles, exclusively for use in the household of such owner, by him and members of his household and his nonpaying guests and employees: *Provided*, That in cases where such person, firm, or corporation engages in such custom operations at an establishment at which inspection under this subchapter is maintained, the Secretary may exempt from such inspection at such establishment any animals slaughtered or any meat or meat food products otherwise prepared on such custom basis: *Provided further*, That custom operations at any establishment shall be exempt from inspection requirements as provided by this section only if the establishment complies with regulations which the Secretary is hereby authorized to promulgate to assure that any carcasses, parts thereof, meat or meat food products wherever handled on a custom basis, or any containers or packages containing such articles, are separated at all times from carcasses, parts thereof, meat or meat food products prepared for sale, and that all such articles prepared on a custom basis, or any containers or packages containing such articles, are plainly marked "Not for Sale" immediately after being prepared and kept so identified until delivered to the owner and that the establishment conducting the custom operation is maintained and operated in a sanitary manner.

(b) Territorial exemption; refusal, withdrawal, or modification

The Secretary may, under such sanitary conditions as he may by regulations prescribe, ex-

empt from the inspection requirements of this subchapter the slaughter of animals, and the preparation of carcasses, parts thereof, meat and meat food products, by any person, firm, or corporation in any Territory not organized with a legislative body solely for distribution within such Territory when the Secretary determines that it is impracticable to provide such inspection within the limits of funds appropriated for administration of this chapter and that such exemption will otherwise facilitate enforcement of this chapter. The Secretary may refuse, withdraw, or modify any exemption under this subsection in his discretion whenever he determines such action is necessary to effectuate the purposes of this chapter.

(c) Pizzas containing meat food products

(1) Under such terms and conditions as the Secretary shall prescribe through rules and regulations issued under section 624 of this title that may be necessary to ensure food safety and protect public health such as special handling procedures, the Secretary shall exempt pizzas containing a meat food product from the inspection requirements of this chapter if—

(A) the meat food product components of the pizzas have been prepared, inspected, and passed in a cured or cooked form as ready-to-eat in compliance with the requirements of this chapter; and

(B) the pizzas are to be served in public or private nonprofit institutions.

(2) The Secretary may withdraw or modify any exemption under this subsection whenever the Secretary determines such action is necessary to ensure food safety and to protect public health. The Secretary may reinstate or further modify any exemption withdrawn or modified under this subsection.

(d) Adulteration and misbranding provisions applicable to inspection-free articles

The adulteration and misbranding provisions of this subchapter, other than the requirement of the inspection legend, shall apply to articles which are exempted from inspection or not required to be inspected under this section.

(Mar. 4, 1907, ch. 2907, title I, §23, formerly 21st, 22nd pars., 34 Stat. 1265; June 29, 1938, ch. 810, 52 Stat. 1235; renumbered §23 and amended Pub. L. 90-201, §§1, 11, Dec. 15, 1967, 81 Stat. 584, 591; Pub. L. 91-342, July 18, 1970, 84 Stat. 438; Pub. L. 102-237, title X, §1016(a), Dec. 13, 1991, 105 Stat. 1902.)

CODIFICATION

Section was formerly classified to sections 91 and 92 of this title.

AMENDMENTS

1991—Subsecs. (c), (d). Pub. L. 102-237 added subsec. (c) and redesignated former subsec. (c) as (d).

1970—Subsec. (a). Pub. L. 91-342 changed proviso so as to permit custom slaughterers to conduct a separate inspected meat business, continued the exemption for owners to slaughter and process their own animals for their own use, authorized the Secretary to exempt custom slaughtering and processing performed by an inspected establishment, and required that custom slaughtered articles be clearly marked "not for sale".

1967—Pub. L. 90-201, §11, substituted provisions for personal, custom, and territorial slaughtering exemp-