

Act of 2002, and not as part of the Federal Meat Inspection Act which is classified to subchapters I to IV of this chapter.

§ 680. Authorization of appropriations

There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this chapter.

(Mar. 4, 1907, ch. 2907, title IV, §411, formerly §410, as added Pub. L. 90-201, §16, Dec. 15, 1967, 81 Stat. 600; renumbered §411, Pub. L. 104-127, title IX, §918(a)(1)(A), Apr. 4, 1996, 110 Stat. 1188.)

SUBCHAPTER IV—A—INSPECTIONS BY
FEDERAL AND STATE AGENCIES

§ 683. Interstate shipment of meat inspected by Federal and State agencies for certain small establishments

(a) Definitions

(1) Appropriate State agency

The term “appropriate State agency” means a State agency described in section 661(b) of this title.

(2) Designated personnel

The term “designated personnel” means inspection personnel of a State agency that have undergone all necessary inspection training and certification to assist the Secretary in the administration and enforcement of this chapter, including rules and regulations issued under this chapter.

(3) Eligible establishment

The term “eligible establishment” means an establishment that is in compliance with—

(A) the State inspection program of the State in which the establishment is located; and

(B) this chapter, including rules and regulations issued under this chapter.

(4) Meat item

The term “meat item” means—

(A) a portion of meat; and

(B) a meat food product.

(5) Selected establishment

The term “selected establishment” means an eligible establishment that is selected by the Secretary, in coordination with the appropriate State agency of the State in which the eligible establishment is located, under subsection (b) to ship carcasses, portions of carcasses, and meat items in interstate commerce.

(b) Authority of Secretary to allow shipments

(1) In general

Subject to paragraph (2), the Secretary, in coordination with the appropriate State agency of the State in which an establishment is located, may select the establishment to ship carcasses, portions of carcasses, and meat items in interstate commerce, and place on each carcass, portion of a carcass, and meat item shipped in interstate commerce a Federal mark, stamp, tag, or label of inspection, if—

(A) the carcass, portion of carcass, or meat item qualifies for the mark, stamp, tag, or

label of inspection under the requirements of this chapter;

(B) the establishment is an eligible establishment; and

(C) inspection services for the establishment are provided by designated personnel.

(2) Prohibited establishments

In carrying out paragraph (1), the Secretary, in coordination with an appropriate State agency, shall not select an establishment that—

(A) on average, employs more than 25 employees (including supervisory and non-supervisory employees), as defined by the Secretary;

(B) as of the date of the enactment of this section, ships in interstate commerce carcasses, portions of carcasses, or meat items that are inspected by the Secretary in accordance with this chapter;

(C)(i) is a Federal establishment;

(ii) was a Federal establishment that was reorganized on a later date under the same name or a different name or person by the person, firm, or corporation that controlled the establishment as of the date of the enactment of this section; or

(iii) was a State establishment as of the date of the enactment of this section that—

(I) as of the date of the enactment of this section, employed more than 25 employees; and

(II) was reorganized on a later date by the person, firm, or corporation that controlled the establishment as of the date of the enactment of this section;

(D) is in violation of this chapter;

(E) is located in a State that does not have a State inspection program; or

(F) is the subject of a transition carried out in accordance with a procedure developed by the Secretary under paragraph (3)(A).

(3) Establishments that employ more than 25 employees

(A) Development of procedure

The Secretary may develop a procedure to transition to a Federal establishment any establishment under this section that, on average, consistently employs more than 25 employees.

(B) Eligibility of certain establishments

(i) In general

A State establishment that employs more than 25 employees but less than 35 employees as of the date of the enactment of this section may be selected as a selected establishment under this subsection.

(ii) Procedures

A State establishment shall be subject to the procedures established under subparagraph (A) beginning on the date that is 3 years after the effective date described in subsection (j).

(c) Reimbursement of State costs

The Secretary shall reimburse a State for costs related to the inspection of selected estab-