

(B) informal petitions or proposals for changes in inspection procedures, processes, and techniques of plants inspected under this chapter;

(C) formal changes in meat inspection regulations promulgated under this chapter, whether in notice, proposed, or final form; and

(D) such other matters as may be referred to the panel by the Secretary regarding the quality or effectiveness of a safe and cost-effective meat inspection system under this chapter.

(2) Reports

(A) In general

The panel shall submit to the Secretary a report on the results of each review and evaluation carried out under paragraph (1), including such recommendations as the panel considers appropriate.

(B) Reports on formal changes

In the case of a report concerning a formal change in meat inspection regulations, the report shall be made within the time limits prescribed for formal comments on such changes.

(C) Publication in Federal Register

Each report of the panel to the Secretary shall be published in the Federal Register.

(c) Secretarial response

Not later than 90 days after the publication of a panel report under subsection (b)(2)(C) of this section, the Secretary shall publish in the Federal Register any response required of the Secretary to the report.

(d) Composition of panel

The panel shall be composed of 7 members, not fewer than 5 of whom shall be from the food science, meat science, or poultry science profession, appointed to staggered terms not to exceed 3 years by the Secretary from nominations received from the National Institutes of Health and the Federation of American Societies of Food Animal Science and based on the professional qualifications of the nominees.

(e) Nominations

(1) Initial panel

In constituting the initial panel, the Secretary shall solicit 6 nominees from the National Institutes of Health and 6 nominees from the Federation of American Societies of Food Animal Science for membership on the panel.

(2) Vacancies

Any subsequent vacancy on the panel shall be filled by the Secretary after soliciting 2 nominees from the National Institutes of Health and 2 nominees from the Federation of American Societies of Food Animal Science.

(3) Requirements for nominees

(A) In general

Each nominee provided under paragraph (1) or (2) shall have a background in public health issues and a scientific expertise in food, meat, or poultry science or in veterinary science.

(B) Submission of information

The Secretary may require nominees to submit such information as the Secretary considers necessary prior to completing the selection process.

(4) Additional nominees

If any list of nominees provided under paragraph (1) or (2) is unsatisfactory to the Secretary, the Secretary may request the nominating entities to submit an additional list of nominees.

(f) Travel expenses

While away from the home or regular place of business of a member of the panel in the performance of services for the panel, the member shall be allowed travel expenses, including per diem in lieu of subsistence, at the same rate as a person employed intermittently in the Government service would be allowed under section 5703 of title 5.

(g) Conflicts of interest

The Secretary shall promulgate regulations regarding conflicts of interest with respect to the members of the panel.

(h) Exemption

The Federal Advisory Committee Act (5 U.S.C. App.) and title XVIII of the Food and Agriculture Act of 1977 (7 U.S.C. 2281 et seq.) shall not apply to the panel.

(i) Funding

From funds available to the Secretary to carry out this chapter and the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), the Secretary shall allocate such sums as may be necessary to carry out this section.

(Mar. 4, 1907, ch. 2907, title IV, §410, as added Pub. L. 104-127, title IX, §918(a)(1)(B), Apr. 4, 1996, 110 Stat. 1188.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (h), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

The Food and Agriculture Act of 1977, referred to in subsec. (h), is Pub. L. 95-113, Sept. 29, 1977, 91 Stat. 913, as amended. Title XVIII of the Act is classified generally to chapter 55A (§2281 et seq.) of Title 7, Agriculture. For complete classification of this Act to the Code, see Short Title of 1977 Amendment note set out under section 1281 of Title 7 and Tables.

The Poultry Products Inspection Act, referred to in subsec. (i), is Pub. L. 85-172, Aug. 28, 1957, 71 Stat. 441, as amended, which is classified generally to chapter 10 (§451 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 451 of this title and Tables.

PRIOR PROVISIONS

A prior section 410 of act Mar. 4, 1907, was renumbered section 411, and is classified to section 680 of this title.

§ 679b. Pasteurization of meat and poultry

(1) In general

Effective beginning not later than 30 days after May 13, 2002, the Secretary of Agriculture shall conduct an education program regarding the availability and safety of processes and

treatments that eliminate or substantially reduce the level of pathogens on meat, meat food products, poultry, and poultry products.

(2) Authorization of appropriations

There is authorized to be appropriated such sums as are necessary to carry out this section. (Pub. L. 107–171, title X, §10808(a), May 13, 2002, 116 Stat. 530.)

CODIFICATION

Section was enacted as part of the Farm Security and Rural Investment Act of 2002, and not as part of the Federal Meat Inspection Act which is classified to subchapters I to IV of this chapter.

§ 679c. Expansion of Food Safety Inspection Service activities

(a) In general

The Secretary of Agriculture may utilize existing authorities to give high priority to enhancing and expanding the capacity of the Food Safety Inspection Service to conduct activities to—

- (1) enhance the ability of the Service to inspect and ensure the safety and wholesomeness of meat and poultry products;
- (2) improve the capacity of the Service to inspect international meat and meat products, poultry and poultry products, and egg products at points of origin and at ports of entry;
- (3) strengthen the ability of the Service to collaborate with relevant agencies within the Department of Agriculture and with other entities in the Federal Government, the States, and Indian tribes (as defined in section 450b(e) of title 25) through the sharing of information and technology; and
- (4) otherwise expand the capacity of the Service to protect against the threat of bioterrorism.

(b) Authorization of appropriations

There is authorized to be appropriated to carry out this section, \$15,000,000 for fiscal year 2002, and such sums as may be necessary for each subsequent fiscal year.

(Pub. L. 107–188, title III, §332, June 12, 2002, 116 Stat. 679.)

CODIFICATION

Section was enacted as part of the Public Health Security and Bioterrorism Preparedness and Response 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-