

this title and sections 1902 and 1904 of Title 7, Agriculture, repealing sections 1903 and 1905 of Title 7, and enacting provisions set out as notes under this section and section 603 of this title] may be cited as the ‘Humane Methods of Slaughter Act of 1978.’”

#### SHORT TITLE

Pub. L. 90-201, §1, Dec. 15, 1967, 81 Stat. 584, provided in part: “That this Act [enacting this section and sections 602, 624, 641 to 645, 661, 671 to 680, and 691 of this title, amending sections 603 to 623 of this title, repealing section 96 of this title and section 1306(b) of Title 19, Customs Duties, and enacting provisions set out as notes under this section] may be cited as the ‘Wholesome Meat Act.’”

Pub. L. 90-201, §1, Dec. 15, 1967, 81 Stat. 584, provided in part that the provisions of act Mar. 4, 1907, as amended, classified to subchapters I to IV-A of this chapter, are designated as the ‘Federal Meat Inspection Act’.

#### REGULATIONS

Pub. L. 113-79, title XII, §12106(b)(1)–(3), Feb. 7, 2014, 128 Stat. 981, provided that:

“(1) IN GENERAL.—The Secretary shall—

“(A) not later than 60 days after the date of enactment of this Act [Feb. 7, 2014], issue final regulations to carry out the amendments made by section 11016(b)(1) of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 2130) [amending this section, enacting sections 606 and 625 of this title, and repealing former section 606 of this title], as further clarified by the amendments made by this section [amending this section, sections 606 and 625 of this title, and section 1622 of Title 7, Agriculture, and enacting and repealing provisions set out as notes under this section]; and

“(B) not later than 1 year after the date of enactment of this Act, implement the amendments described in subparagraph (A).

“(2) NOTIFICATION.—Beginning 30 days after the date of enactment of this Act and every 30 days thereafter until the date of full implementation of the amendments described in paragraph (1)(A), the Secretary shall submit a report describing the status of implementation to—

“(A) the Committee on Agriculture of the House of Representatives;

“(B) the Committee on Agriculture, Nutrition and Forestry of the Senate;

“(C) the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations of the House of Representatives; and

“(D) the Subcommittee on Agriculture, Rural Development, and Related Agencies of the Committee on Appropriations of the Senate.

“(3) PROCEDURE.—Section 1601(c)(2) [7 U.S.C. 9091(c)(2)] applies to the promulgation of the regulations and administration of this section and the amendments made by this section.”

Pub. L. 110-246, title XI, §11016(b)(2), as added by Pub. L. 113-79, title XII, §12106(b)(4), Feb. 7, 2014, 128 Stat. 981, provided that:

“(A) REGULATIONS.—Not later than 60 days after the date of enactment of the Agricultural Act of 2014 [Feb. 7, 2014], the Secretary [of Agriculture], in consultation with the Commissioner of Food and Drugs, shall issue final regulations to carry out the amendments made by paragraph (1) [amending this section, enacting sections 606 and 625 of this title, and repealing former section 606 of this title] and section 12106 of that Act [amending this section, sections 606 and 625 of this title, and section 1622 of Title 7, Agriculture, and enacting and repealing provisions set out as notes under this section] in a manner that ensures that there is no duplication in inspection activities.

“(B) INTERAGENCY COORDINATION.—Not later than 60 days after the date of enactment of the Agricultural

Act of 2014, the Secretary shall execute a memorandum of understanding with the Commissioner of Food and Drugs for the following purposes:

“(i) To improve interagency cooperation on food safety and fraud prevention, building upon any other prior agreements, including provisions, performance metrics, and timelines as appropriate.

“(ii) To maximize the effectiveness of limited personnel and resources by ensuring that—

“(I) inspections conducted by the Department satisfy requirements under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.);

“(II) inspections of shipments and processing facilities for fish of the order Siluriformes by the Department and the Food and Drug Administration are not duplicative; and

“(III) any information resulting from examination, testing, and inspections conducted is considered in making risk-based determinations, including the establishment of inspection priorities.”

Pub. L. 110-234, title XI, §11016(b)(2)(B), May 22, 2008, 122 Stat. 1370, and Pub. L. 110-246, §4(a), title XI, §11016(b)(2)(B), June 18, 2008, 122 Stat. 1664, 2131, required the Secretary of Agriculture, in consultation with the Commissioner of Food and Drugs, to issue final regulations to carry out the amendments made by section 11016(b)(1) of Pub. L. 110-234 and section 11016(b)(1) of Pub. L. 110-246 (enacting sections 606 and 625 of this title, amending this section, and repealing former section 606 of this title) not later than 18 months after June 18, 2008, prior to repeal by Pub. L. 113-79, title XII, §12106(b)(4), Feb. 7, 2014, 128 Stat. 981, effective as if enacted as part of section 11016(b) of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 2130), see Effective Date of 2014 Amendment note above.

[Pub. L. 110-234 and Pub. L. 110-246 enacted identical provisions. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246, set out as a note under section 8701 of Title 7, Agriculture.]

#### SEPARABILITY

Pub. L. 90-201, §19, Dec. 15, 1967, 81 Stat. 601, provided that: “If any provision of this Act or of the amendments made hereby [see Short Title note above] or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and the remaining amendments [see Short Title note above] and of the application of such provision to other persons and circumstances shall not be affected thereby.”

#### § 602. Congressional statement of findings

Meat and meat food products are an important source of the Nation’s total supply of food. They are consumed throughout the Nation and the major portion thereof moves in interstate or foreign commerce. It is essential in the public interest that the health and welfare of consumers be protected by assuring that meat and meat food products distributed to them are wholesome, not adulterated, and properly marked, labeled, and packaged. Unwholesome, adulterated, or misbranded meat or meat food products impair the effective regulation of meat and meat food products in interstate or foreign commerce, are injurious to the public welfare, destroy markets for wholesome, not adulterated, and properly labeled and packaged meat and meat food products, and result in sundry losses to livestock producers and processors of meat and meat food products, as well as injury to consumers. The unwholesome, adulterated, mislabeled, or deceptively packaged articles can be sold at lower prices and compete unfairly with the wholesome, not adulterated, and properly la-

beled and packaged articles, to the detriment of consumers and the public generally. It is hereby found that all articles and animals which are regulated under this chapter are either in interstate or foreign commerce or substantially affect such commerce, and that regulation by the Secretary and cooperation by the States and other jurisdictions as contemplated by this chapter are appropriate to prevent and eliminate burdens upon such commerce, to effectively regulate such commerce, and to protect the health and welfare of consumers.

(Mar. 4, 1907, ch. 2907, title I, §2, as added Pub. L. 90-201, §2, Dec. 15, 1967, 81 Stat. 587.)

**§ 603. Examination of animals prior to slaughter; use of humane methods**

**(a) Examination of animals before slaughtering; diseased animals slaughtered separately and carcasses examined**

For the purpose of preventing the use in commerce of meat and meat food products which are adulterated, the Secretary shall cause to be made, by inspectors appointed for that purpose, an examination and inspection of all amenable species before they shall be allowed to enter into any slaughtering, packing, meat-canning, rendering, or similar establishment, in which they are to be slaughtered and the meat and meat food products thereof are to be used in commerce; and all amenable species found on such inspection to show symptoms of disease shall be set apart and slaughtered separately from all other cattle, sheep, swine, goats, horses, mules, or other equines, and when so slaughtered the carcasses of said cattle, sheep, swine, goats, horses, mules, or other equines shall be subject to a careful examination and inspection, all as provided by the rules and regulations to be prescribed by the Secretary, as provided for in this subchapter.

**(b) Humane methods of slaughter**

For the purpose of preventing the inhumane slaughtering of livestock, the Secretary shall cause to be made, by inspectors appointed for that purpose, an examination and inspection of the method by which amenable species are slaughtered and handled in connection with slaughter in the slaughtering establishments inspected under this chapter. The Secretary may refuse to provide inspection to a new slaughtering establishment or may cause inspection to be temporarily suspended at a slaughtering establishment if the Secretary finds that any cattle, sheep, swine, goats, horses, mules, or other equines have been slaughtered or handled in connection with slaughter at such establishment by any method not in accordance with the Act of August 27, 1958 (72 Stat. 862; 7 U.S.C. 1901-1906) until the establishment furnishes assurances satisfactory to the Secretary that all slaughtering and handling in connection with slaughter of livestock shall be in accordance with such a method.

(Mar. 4, 1907, ch. 2907, title I, §3, formerly 1st par., 34 Stat. 1260; renumbered §3 and amended Pub. L. 90-201, §§1, 3, 12(a), (b), Dec. 15, 1967, 81 Stat. 584, 588, 592; Pub. L. 95-445, §2, Oct. 10, 1978, 92 Stat. 1069; Pub. L. 109-97, title VII, §798(a)(1), Nov. 10, 2005, 119 Stat. 2166.)

REFERENCES IN TEXT

Act of August 27, 1958, referred to in subsec. (b), is Pub. L. 85-765, Aug. 27, 1958, 72 Stat. 862, as amended, which is classified generally to chapter 48 (§1901 et seq.) of Title 7, Agriculture. For complete classification of this Act to the Code, see Tables.

Sections 1903 and 1905 of Title 7, included within reference to Act of August 27, 1958, were repealed by Pub. L. 95-445, §5(b), Oct. 10, 1978, 92 Stat. 1069, effective as set forth in section 7 of Pub. L. 95-445, set out as an Effective Date of 1978 Amendment note below.

CODIFICATION

Section was formerly classified to section 71 of this title.

AMENDMENTS

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

1978—Pub. L. 95-445 designated existing provisions as subsec. (a) and added subsec. (b).

1967—Pub. L. 90-201, §§3, 12(a), (b), struck out “interstate or foreign” before “commerce” in two places, substituted “Secretary shall” for “Secretary, at his discretion, may”, and struck out “of Agriculture” after “Secretary”, included horses, mules, and other equines, and horses, mules, or other equines in the list of animals, and substituted “adulterated” for “unsound, unhealthful, unwholesome, or otherwise unfit for human food”, 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 DATE OF 1978 AMENDMENT

Pub. L. 95-445, §7, Oct. 10, 1978, 92 Stat. 1070, provided that: “The provisions of this Act [see Short Title of 1978 Amendment note set out under section 601 of this title] shall become effective one year after the date of enactment [Oct. 10, 1978]. However, such provisions shall not apply to a person, firm, or corporation for such additional period of time, not to exceed eighteen months, as may be determined by the Secretary, if the Secretary, upon application, finds that compliance with the provisions of this Act on its effective date would cause undue hardship on such person, firm, or corporation.”

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.

RELIGIOUS FREEDOM; RITUAL SLAUGHTER

Pub. L. 95-445, §6, Oct. 10, 1978, 92 Stat. 1070, provided that: “Nothing in this Act [see Short Title of 1978 Amendment note set out under section 601 of this title] shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group. Notwithstanding any other provision of this Act, in order to protect freedom of religion, ritual slaughter and the handling or other preparation of livestock for ritual slaughter are exempted from the terms of this Act. For the purposes of this section the term ‘ritual slaughter’ means slaughter in accordance with section 2(b) of the Act of August 27, 1958 (72 Stat. 862; 7 U.S.C. 1902(b)).”

**§ 604. Post mortem examination of carcasses and marking or labeling; destruction of carcasses condemned; reinspection**

For the purposes hereinbefore set forth the Secretary shall cause to be made by inspectors