

West's Mississippi Administrative Code
Title 2. Agriculture and Commerce
Part 1. Rules of the Mississippi Department of Agriculture and Commerce
Subpart 4. Bureau of Regulatory Services
Chapter 07. Meat and Poultry Inspection

2 Miss. Admin. Code Pt. 1, Subpt. 4, R. 07.01
Formerly cited as MS ADC 2-1-4:07.01

Pt. 1, Subpt. 4, R. 07.01. Rules and regulations promulgated to carry out provisions of "The Meat, Meat Foods and Poultry Regulations and Inspection Law of 1960" and "The Mississippi Meat Inspection Law of 1968."

Effective: November 23, 2020
Currentness

100 The Meat Inspection Division within the Department of Agriculture is hereby created by the Commissioner of Agriculture and said Division and its employees and authorized agents designated to administer and enforce the provisions of the meat inspection laws of the State of Mississippi and all rules and regulations and requirements thereunder.

Responsibility of owners, managers and operators

101.01 All persons operating establishments are required by law to construct, arrange, equip, manage, and maintain such establishments according to prescribed sanitary standards in order that meat, and/or meat-food products therein prepared, stored, or sold shall not be injuriously affected so as to be rendered unfit for human consumption.

101.02 Each establishment shall be inspected by the Meat Inspection Division according to prescribed standards for all establishments. No establishment shall be used for any other purpose than that for which it is specifically approved.

101.03 No person shall slaughter, butcher, dress, or process for food purposes, any animal or parts of carcasses which is in such condition that the product will be unfit for human consumption.

101.04 Animals which have died or are in a dying condition as a result of disease, injury, poisoning, or accidental causes shall be unfit for human food.

101.05 No person shall sell, offer for sale, expose for sale, manufacture, or prepare for use as food, any unwholesome meat or meat-food product.

101.06 No carcass, meat, or meat-food product shall be received into an establishment from unapproved sources or from establishments not having equivalent inspection.

101.07 The owner, manager, or operator of each establishment shall make, maintain, and produce such records and information necessary for the Meat Inspection Division as the Commissioner may require.

Buildings, facilities, and equipment

102.01 Buildings:

1. All buildings shall be of sound construction and kept in good repair and shall be of such construction as to prevent the entrance or harboring of vermin. All remodeling of buildings or new construction must be of concrete, concrete blocks, tile, or brick or other impervious material. Any remodeling or new construction must have the prior approval of the Commissioner.

2. Outside openings: The doors, windows, skylights, and other outside openings of the plant shall be protected by properly fitted screens or other suitable devices against the entrance of flies and other insects. Screen doors shall open toward the outside of the building. Doors shall be provided with self-closing devices where necessary to prevent the entry of vermin into processing and storage rooms.

102.02 Rooms and Compartments:

1. Rooms and compartments or receptacles used for edible products shall be separate and distinct from inedible products departments and from rooms where live animals are held prior to slaughter. Separate rooms shall be provided, when required, for conducting processing operations in a sanitary manner; and all rooms shall be of sufficient size to permit the installation of the necessary equipment for processing operations and the conduct of each operation in a sanitary manner.

2. Refrigerated rooms, coolers, and freezers, where applicable, shall be of adequate size and capacity to provide ample refrigeration for the meat and meat-food products.

3. Storage and supply rooms shall be in good repair, kept dry and the room and its contents maintained in a sanitary condition.

4. The boiler and machinery or utility room shall be a separate room where necessary to prevent its being a source of dirt or objectionable odors entering any room where edible products are prepared, processed, handled, or stored.

5. Toilet and dressing rooms shall be separated from the rest of the plant by walls extending from the floor to the ceiling and constructed in accordance with provisions of these regulations. Doors shall be solid and self-closing. A vestibule shall be of such size as to permit the closing of one door before opening the other.

6. Lunching, lounging, retail sales, etc., shall not be permitted in processing, packing, and supply rooms. If necessary, separate facilities shall be provided for such purposes.

102.03 Floors, walls, ceiling, etc.:

1. The floors, walls, ceilings, partitions, posts, doors, and other interior structures shall be of such materials, construction, and finish which is impervious to moisture, so that they can be readily and thoroughly cleaned.

2. Floors:

a. All floors in rooms where exposed products are processed, prepared, or handled shall be constructed of smooth concrete or of tile, or of other similar impervious material and kept in good repair.

b. All floors throughout the building which are not kept dry shall be graded to permit run-off with no standing water. In new construction and renovated plants, the recommended pitch is one-fourth inch per foot to drains.

3. Ceilings and Walls:

a. Ceilings must be moisture resistant in rooms where exposed products and utensils are prepared, handled, processed, or stored. They shall also be smooth and tightly sealed to prevent dust or dirt from sifting through and shall be acceptably finished and free of any flaking or peeling paint. If the underside of the roof with or without exposed overhead structures is used as a ceiling, it shall conform to the same sanitary requirements.

b. All walls, posts, doors, and partitions in rooms where edible products are processed, handled, or stored shall have smooth surface impervious to moisture to enable thorough cleaning. In all new construction, the window ledges shall be set at an angle of approximately 45 degrees and all upper horizontal surfaces shall be kept to a minimum.

102.04 Plumbing and Draining: There shall be an efficient draining and plumbing system for the establishment. The plumbing system in each establishment shall be installed and maintained in compliance with the best plumbing practices and State plumbing code in effect.

1. Drains and Gutters: All drains and gutters shall be properly installed with traps and vents approved by the Commissioner. The drainage and plumbing system must permit the quick run-off of all water from plant buildings, and of surface water around the plant and on the premises; and all such water shall be disposed of in such a manner as to prevent a nuisance or health hazard.

2. Sewage and Plant Wastes:

a. All sewage and plant wastes shall be disposed of according to recognized and accepted sanitary engineering methods which will not create a public health hazard or unsanitary situation so as to be a nuisance.

b. The sewage system shall have adequate slope and capacity to remove readily all waste from the various processing operations and equipped with the necessary settling and screening devices to minimize, and if possible, to prevent stoppage and surcharging of the system.

c. Grease traps which are connected with the sewage system shall be suitably located, but not near any edible products department, or in any area where products are unloaded from, or loaded into vehicles. To facilitate cleaning, such traps should have inclined bottoms and provided with suitable covers.

d. All floor drains shall be equipped with approved traps and vents constructed so as to minimize clogging; and the plumbing shall be installed so as to prevent sewage from backing up and flooding the floors.

e. All toilet soil lines shall be separate from house drainage lines to a point outside the buildings and drainage from toilet bowls and urinals shall not be discharged into a grease catch basin.

f. Floor drainage lines shall be at least 4 inches in diameter or larger depending on the volume of over-flow and shall be properly vented to the outside air and open into main drains at least 2 inches larger in diameter than the floor drain lines.

g. In new construction and remodeling, valley and gutter drains shall have adequate slope and junctions of the sides and the bottoms shall be covered and tightly sealed.

h. All refrigerator drains shall be properly trapped and vented and discharged through an air gap into the sewer system.

102.05 Lavatory, toilets, and other sanitary facilities:

1. Adequate lavatory and toilet accommodations, including, but not being limited to, running hot water and cold water, soap, and approved sanitary towels shall be provided. Such accommodations shall be in, or near toilet and locker rooms and also at such other place in the plant as may be essential to the cleanliness of all personnel handling products.

2. Adequate lockers or other facilities shall be provided for employees' wearing apparel, and for the storing and changing of clothing. Wearing apparel shall not be stored in rooms where processing operations are conducted.

3. Suitable covered containers shall be provided, in sufficient numbers, for storing used towels and other waste.

4. An adequate number of hand washing facilities shall be located in areas where edible products are prepared and shall be operated by other than hand-operated controls, or shall be of a continuous flow type that provides an adequate flow of water for washing hands. All persons employed in preparation handling of food shall use this facility when reporting back to work regardless of previous washing.

5. Durable signs, with letters of not less than one inch in height, shall be posted conspicuously in each toilet room and locker room directing employees to wash their hands before returning to work.

6. Adequate toilet facilities shall be provided and the following formula shall serve as a basis for determining the number required:

PERSONS OF SAME SEX	TOILET BOWLS REQUIRED
1 to 15 inclusive	1
16 to 35 inclusive	2
36 to 55 inclusive	3
56 to 80 inclusive	* 4
Each 30 persons in excess of 80	1

** Urinals may be substituted for toilet bowls but only to the extend of one-third of the total number of bowls stated.*

7. All toilets, lavatories, rest rooms and other sanitary facilities shall be kept clean and in good repair.

8. Suitable sanitary drinking water facilities shall be provided.

102.06 Lighting:

1. All rooms and areas in the establishment shall be well lighted by natural and artificial methods according to commercial practices.

2. The following requirements shall be met, and the meeting of such requirements shall be deemed to be in compliance with this section: At least 50-foot candles of light intensity shall be provided in areas where products are examined for cleanliness or wholesomeness. The overall intensity in workrooms should be not less than 20-foot candles, and 10-foot candles in carcass cooler at lowest shank level.

102.07 Ventilation:

1. All rooms and areas in the establishment shall be well ventilated.

1. ¹ The following requirements shall be met and the meeting of such requirements shall be deemed to be in compliance with this section.

a. Sufficient ventilation shall be provided in the establishment to dispel disagreeable odors, condensate, and vapor. For this purpose, ventilating equipment, such as individual fans, hoods, and windows shall be provided where needed.

- b. Employee toilet rooms and dressing rooms shall be adequately vented to the outside air.

- c. Space heaters, gas stoves, water heaters, and any other equipment giving off noxious odors, fumes, or vapors shall be vented to the outside air.

- d. Any mechanical ventilating equipment shall be so located and controlled so as to minimize conditions in which products or processing equipment may be subjected to airborne contamination from nearby or preceding operations or from other sources.

- e. All exhaust outlets from mechanical ventilating devices shall be conducted to the outside air, and shall be so arranged, placed, and extended as to avoid creating a nuisance to adjacent areas, and shall be constructed and maintained according to recognized and approved engineering methods as to prevent any avoidable escape of odors into the air.

102.08 Water Supply:

- 1. The water supply shall be ample, clean, and potable with adequate pressure and facilities for its distribution in the plant, and its protection against contamination and pollution. A water analysis report, issued under authority of the State Board of Health Department, certifying to the potability of the water supply, shall be obtained by the plant owner or operator, and furnished to the Commissioner of Agriculture when deemed necessary or as required by the Commissioner.

- 2. Hose connections with steam and water mixing valves or hot water hose connections shall be provided at convenient locations throughout the plant for cleaning purposes and the temperature of the hot water shall be maintained at not less than 180 degrees F.

- 2.¹ The refuse rooms shall be provided with adequate facilities for washing refuse cans and other equipment and shall be thoroughly cleaned and scalded or steamed after each day's use.

- 3. Non-potable water is permitted only in those parts of official plants where no product is handled or prepared, and then only for limited purposes such as on condensers not connected with the potable water supply, in vapor lines serving inedible products rendering tanks, and in sewer lines for moving heavy solids in the sewage. Non-potable water is not permitted for washing floors, areas, or equipment, nor is it permitted in boilers, scalders, chill vats, or ice making machines. Non-potable water lines shall be clearly identified and shall not be cross connected with the potable supply line. Any untested water supply in an official establishment shall be treated as a non-potable supply.

Equipment and Utensils

103 Equipment and utensils used for the preparation, processing or otherwise handling of any product in the plant, shall be suitable for the purpose intended and shall be of such material and construction as will facilitate their thorough cleaning and insure cleanliness in the preparation and handling of products. In addition, surfaces which contact meat and/or meat products shall be nontoxic, corrosion-resistant, smooth, free from breaks, open seams, cracks, and chipped places. Stainless steel may be required where continued use and heavy corrosion occur. All equipment and utensils shall be maintained in a clean and sanitary condition; adequate washing vats, cleaning facilities and storage space shall be provided for this purpose. Trucks

and receptacles used for handling inedible products shall be of similar construction and shall be conspicuously and distinctly marked and shall not be used in handling any edible products. Equipment and utensils used in the plant shall not be used outside the plant except under the conditions as may be approved by the Commissioner.

Personnel -- cleanliness and hygiene

104.01 All employees coming in contact with meat, exposed edible products, or edible products, handling or wrapping items, shall wear clean garments and keep their hands clean at all times while thus engaged. Acceptable head coverings shall be worn by employees handling edible products. Such persons shall conform to all other hygiene practices while on duty.

104.02 No person who has a discharging or infected wound, sore, or lesion on hands, arms, or any exposed portion of the body shall work in any capacity of the plant which may bring him into contact with edible products. Simple cuts and abrasions or minor injuries shall receive immediate and adequate attention to assure complete protection of the food products.

104.03 The use of tobacco in any form and the practice of any other objectionable personal habit shall not be permitted where exposed edible products are prepared, processed or otherwise handled.

104.04 Every person after each use of toilet or change of garments shall wash his hands thoroughly before returning to duties.

104.05 All employees shall secure a certificate of health from a qualified health authority (County Health Department or Company Physician, etc.). Each establishment is responsible and shall keep on file evidence supporting the freedom from communicable disease of all employees. When the owner, manager, or personnel supervisor has reasonable cause to suspect that any person employed in the establishment has contacted any disease in a communicable form, or has become a carrier of such disease he shall notify the health authority immediately.

Housekeeping

105.01 Every practicable precaution shall be taken to exclude vermin, flies, rats, mice, and insects from the establishment. Each establishment shall have an approved continuous extermination program in effect. Dogs, cats, and other pets shall be excluded from processing and storage rooms.

105.02 Only such germicides, insecticides, rodenticides, detergents, or wetting agents, or other similar material may be used as will not contaminate or deleteriously affect the edible product.

105.03 All wastes including inedible by-products, liquid, semi-solid, hard-solid, which are encountered in any and all phases of operation of the establishment shall be promptly disposed of by recognized and accepted means and shall not create a hazard to public health, or unsanitary situation as to be a nuisance.

Samples of Products

106 Samples of meat and meat-food products, water, chemicals, spices, or other articles in any establishment, may be taken for laboratory examination by an authorized inspector of the Meat Inspection Division. In such events, samples may be taken

as often as necessary but only in quantities sufficient for that particular sample. The establishment management may request and shall be given receipt of same.

Labeling and Identification of Products

107 Each shipping container, carcass, or individual package prepared under the authority of these regulations shall bear in distinct legible form the identification of the contents, and the name and address of the processor, or distributor, together with such other necessary information as the Commissioner may require. Labels and stamp markings shall not contain information which is false or misleading and shall be approved as provided by law, regulations, or under uniform inspection procedures.

Meat and Meat Products Inspection Procedures

108 It shall be understood that in all inspection and plant procedures, including ante-mortem, post-mortem, processing, marking, branding, labeling, and identifying and handling of meat and meat-food products, the decision as to the disposition of all carcasses, parts of carcasses, and products regulated by the "Meat, Meat-Food, and Poultry Regulation and Inspection Act of 1960" and as subsequently amended shall be done in accordance with these regulations and the applicable portions of the regulations and inspection procedures promulgated under Public Law 90 -- 201, 90th Congress, H.R. 12144, December 15, 1967, which is cited as the "Wholesome Meat Act

Inspection Procurement

109 Any slaughtering and/or processing establishment to which these laws and regulations apply shall qualify and have the approval of the Department of Agriculture and Commerce, Meat Inspection Division prior to the construction and operation of the establishment.

Adoption of Code of Federal Regulations

110.01 Selected portions of the meat inspection regulations of the United State Department of Agriculture ("U.S.D.A.") for the administration and enforcement of the Federal Meat Inspection Act ("F. M. I. A."), 21 U. S. C. Sec. 601, et seq. and the Poultry Products Inspection Act ("P.P.I.A."), 21 U. S. C. Sec. 451, et seq., which regulations are published in the Code of Federal Regulations, Title 9, Chapter III, Subchapters A and E, entitled Meat and Poultry Inspection Regulations, are hereby adopted by the Mississippi Department of Agriculture and Commerce ("M. D. A. C.") and incorporated herein by reference thereto, as if the same were fully set out herein, as the procedures and requirements which shall be followed by the M.D.A.C. for the implementation, administration and enforcement of the Mississippi meat and poultry inspection statutes. The specific regulations adopted by reference are as follows: 9 C. F. R. Parts 301, 302, 303, 304, 305, 306, 307, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 325, 329, 352, 354, 355, 362, 381, 412, 416, 417, 418, 424, 430, 441, 442, 500 and all future amendments thereof; provided, however, in said regulations the Food Safety and Inspection Service ("F. S. I. S."), an agency of the U.S.D.A. shall be construed to mean the M.D.A.C., the U.S.D.A. mark of inspection under 9 C.F.R. Part 312 shall be construed to mean the M.D.A.C. mark of inspection, the term "Administrator" shall be construed to mean the Commissioner of the M.D.A.C., the term "federally inspected establishment" shall be construed to mean "state inspected establishment" and all references to the Uniform Rules of Practice, 7 C. F. R. Subtitle A, part 1, subpart H shall be construed to mean *Miss. Code Ann. Sec. 75-35-325*. "Copies of C.F.R. sections available upon request."

110.02 It is hereby intended that the above described rules and regulations of the U. S. D. A., F.S. I. S. for meat and poultry inspection pursuant to the F. M. I. A. and the P. P. I. A. shall be followed by the M. D. A. C. in conducting meat and poultry inspections and in carrying out the other requirements of the meat and poultry inspection statutes of the State of Mississippi.

Requirements for the custom slaughter exemption of cattle, sheep, swine and goats

111 The following are the requirements for the custom slaughter exemption of cattle, sheep, swine and goats:

1. Livestock producers must allow customers to inspect and choose their animal if they so desire.
2. Animals presented to a licensed slaughter plant may have multiple owners.
3. Sale and/or purchase of the animal must be completed before slaughter of the animal.
4. The name, address and telephone number of each owner must be provided to the slaughter plant before slaughter.
5. All of the meat must be stamped "Not for Sale".
6. The price of the animal may be calculated per head or live weight but not dressed weight or final weight of the meat.
7. The meat food products produced under this exemption shall be exclusively for the use of the owner(s) and members of their household and their nonpaying guests and employees.

Special Fees for Inspection Services

111.01. Scope and purpose. Fees shall be charged at an hourly rate by the department for inspection services provided on a holiday or on an overtime basis, and/or for products which do not require inspection by state or federal law. For billing purposes, eight or more minutes shall be considered a full quarter hour. Billing will be for each quarter hour of service rendered by each division employee.

111.02. Overtime and holiday rate. The overtime and holiday rate for inspection services provided pursuant to *Miss. Code Ann.* § 75-33-33, shall be \$28.00 per hour, per division employee. Licensed establishments requesting and receiving the services of a division employee after he/she has completed his/her day's assignment and left the premises, or called back to duty during any overtime or holiday period, shall be billed for a minimum of two hours overtime or holiday inspection service at the established rate.

111.03. Rate for inspections not required by state or federal meat and poultry inspection laws. The rate for inspections not required by state or federal meat and poultry inspection laws provided pursuant to *Miss. Code Ann.* § 75-33-33, shall be \$28.00 per hour, per division employee.

Labeling of Plant-Based Foods

112.01 Labeling Requirements:

1. A plant-based food product label shall not be false or misleading.
2. A plant-based food product shall not be labeled as a “meat” or “meat food product” as defined by *Miss. Code Ann.* §§ 75-33-3(1)(b) and 75-35-3(g). For purposes of this section, a plant-based food product will not be considered to be labeled as a “meat” or “meat food product” if one or more of the following terms, or a comparable qualifier, is prominently displayed on the front of the package: “meat free,” “meatless,” “plant-based,” “veggie-based,” “made from plants,” “vegetarian,” or “vegan.”
3. A plant-based food product label that does not contain one or more of the terms in subpart (2) of this section, or a comparable qualifier, may be subject to further examination by the Commissioner in accordance with *Miss. Code Ann.* § 75-35-15(5).

112.02 Voluntary Signage: In order to promote consumers' informed purchasing decisions, any retail food establishment, restaurant, or retailer may voluntarily display, in a conspicuous manner, where meats are sold or offered, the following phrase(s), as appropriate:

1. Proudly Selling Farm-Raised Meat (beef, pork, poultry)
2. Proudly Selling U.S. Farm-Raised Meat (beef, pork, poultry)
3. Proudly Selling Mississippi Farm-Raised Meat (beef, pork, poultry)

112.03 Safe Harbor Actions: Any retail food establishment, restaurant, or retailer may, but is not required to, separate or divide its section of plant-based food products a reasonable distance from its meat food products, provided that such non-meat products comply with section 112.01 and do not contain any false or misleading consumer disclosures. Establishments may, but are not required to, display the voluntary signage at meat counters, and if using menus, they may separate sections of the offerings by product type.

Labeling of Insect-Based Foods

113.01 Labeling Requirements:

1. An insect-based food product label shall not be false or misleading.
2. An insect-based food product shall not be labeled as a “meat” or “meat food product” as defined by *Miss. Code Ann.* §§ 75-33-3(1)(b) and 75-35-3(g). For purposes of this section, an insect-based food product will not be considered to be labeled as a “meat” or “meat food product” if one or more of the following terms, or a comparable qualifier, is prominently displayed on the front of the package: “insect-based,” or “made from insects.”

3. An insect-based food product label that does not contain one or more of the terms in subpart (2) of this section, or a comparable qualifier, may be subject to further examination by the Commissioner in accordance with *Miss. Code Ann.* § 75-35-15(5).

113.02 Voluntary Signage: In order to promote consumers' informed purchasing decisions, any retail food establishment, restaurant, or retailer may voluntarily display, in a conspicuous manner, where meats are sold or offered, the following phrase(s), as appropriate:

1. Proudly Selling Farm-Raised Meat (beef, pork, poultry)
2. Proudly Selling U.S. Farm-Raised Meat (beef, pork, poultry)
3. Proudly Selling Mississippi Farm-Raised Meat (beef, pork, poultry)

113.03 Safe Harbor Actions: Any retail food establishment, restaurant, or retailer may, but is not required to, separate or divide its section of insect-based food products a reasonable distance from its meat food products, provided that such non-meat products comply with section 113.01 and do not contain any false or misleading consumer disclosures. Establishments may, but are not required to, display the voluntary signage at meat counters, and if using menus, they may separate sections of the offerings by product type.

Labeling of Cell-Cultured Foods (A food product that contains cultured animal tissue from animal cell cultures outside of the organism from which it is derived)

114.01 Labeling Requirements:

1. A cell-cultured food product label shall not be false or misleading.
2. A cell-cultured food product shall not be labeled as a “meat” or “meat food product” as defined by *Miss. Code Ann.* §§ 75-33-3(1)(b) and 75-35-3(g). For purposes of this section, a cell-cultured food product will not be considered to be labeled as a “meat” or “meat food product” if one or more of the following terms, or a comparable qualifier, is prominently and conspicuously displayed on the front of the package: “lab-grown,” “lab-created,” or “grown in a lab.”
3. A cell-cultured food product label that does not contain one or more of the terms in subpart (2) of this section, or a comparable qualifier, may be subject to further examination by the Commissioner in accordance with *Miss. Code Ann.* § 75-35-15(5).

114.02 Voluntary Signage: In order to promote consumers' informed purchasing decisions, any retail food establishment, restaurant, or retailer may voluntarily display, in a conspicuous manner, where meats are sold or offered, the following phrase(s), as appropriate:

1. Proudly Selling Farm-Raised Meat (beef, pork, poultry)

2. Proudly Selling U.S. Farm-Raised Meat (beef, pork, poultry)

3. Proudly Selling Mississippi Farm-Raised Meat (beef, pork, poultry)

114.03 Safe Harbor Actions: Any retail food establishment, restaurant, or retailer may, but is not required to, separate or divide its section of cell-cultured food products a reasonable distance from its meat food products, provided that such non-meat products comply with sections 114.01 and do not contain any false or misleading consumer disclosures. Establishments may, but are not required to, display the voluntary signage at meat counters, and if using menus, they may separate sections of the offerings by product type.

Credits

Adopted Aug. 25, 2011; Amended March 13, 2014. Amended May 2, 2014; Oct. 23, 2015; March 14, 2019; Nov. 6, 2019. Amended emergency effective May 7, 2020. Amended Sept. 4, 2020; Nov. 23, 2020.

Source: *Miss. Code Ann. § 75-33-5 & Miss. Code Ann. § 75-35-27.*

Current through the Mississippi Administrative Rules Listing of Filings, dated August 2024.

Footnotes

* * *Urinals may be substituted for toilet bowls but only to the extend of one-third of the total number of bowls stated.*

1 So in original.

2 Mississippi Administrative Code Pt. 1, Subpt. 4, R. 07.01, 2 MS ADC Pt. 1, Subpt. 4, R. 07.01