

Ag 47

STATE OF WISCONSIN                    )  
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DEPARTMENT OF AGRICULTURE        )

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I, F. J. Griffith, Deputy Secretary of Agriculture, and custodian of the official records of the State of Wisconsin Department of Agriculture, do hereby certify that the annexed order amending and adopting rules relating to meat inspection, Wis. Adm. Code chapter Ag 47, was duly adopted by this department on July 31, 1972.

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand at Madison, Wisconsin, this 31st day of July, 1972.

  
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Deputy Secretary of Agriculture

ORDER OF THE DEPARTMENT OF AGRICULTURE  
ADOPTING AND AMENDING RULES

Pursuant to authority vested in the Department of Agriculture by Sections 93.07 (1), 94.72 (13)(a), 97.30 (5) and 97.42 (4), Wis. Stats, the Department of Agriculture hereby amends and adopts rules as follows:

1. Section Ag 47.02 (25) is amended to read:

Ag 47.02 (25) "Retail meat market" means a plant or premises in which meat or meat food products or poultry or poultry food products are prepared, stored, handled, sold or offered for sale at retail with such sales being made primarily to household consumers only and the sale of such products to persons other than household consumers does not exceed 25% of the total dollar value of all sales, or more than \$10,000 in dollar value per year, and does not derive from curing, cooking, smoking, canning, formulation of product, or rendering operations.

2. Section Ag 47.03 (8) is adopted to read:

Ag 47.03 (8) REJECTION OF FACILITIES OR EQUIPMENT. The department may attach a reject tag to utensils, rooms, containers or any other equipment or facilities constructed or maintained in violation of these rules, or which because of their insanitary or unclean condition could lead to the contamination of product. Equipment or facilities so tagged may not be used until brought into compliance with these rules and the reject tag is removed by a department representative.

3. Section Ag 47.09 (1)(b) (first sentence only) is amended to read:

Ag 47.09 (1)(b) All primal parts and detached organs of carcasses of animals custom slaughtered or processed shall be plainly marked by the operator of the establishment, or his employees or agents, where such animals are slaughtered or processed with the establishment or identification number assigned by the department and the words "Custom Processed, Not For Sale, Not Inspected."

4. Section Ag 47.09 (5) is amended to read:

Ag 47.09 (5) HORSE SLAUGHTER. The slaughter of horses and the preparation and handling of the meat and meat food products thereof shall be conducted in establishments separate from those used for the slaughter and preparation of other meat or meat food products. All horse carcasses, parts, meat and meat food products thereof shall be conspicuously labeled, marked, branded, or tagged "Horse Meat" or "Horse Meat Product" by a method approved by the department.

5. Section Ag 47.13 (2)(a) is amended to read:

Ag 47.13 (2)(a) OVERTIME INSPECTION. Establishments requiring overtime inspections shall reimburse the department at uniform rates commensurate with actual costs as determined by the department.

6. Section Ag 47.16 (6) is amended to read:

Ag 47.16 (6) EMERGENCY SLAUGHTER. (a) Animals accidentally injured may be slaughtered on an emergency basis if they are submitted for slaughter within 24 hours after the injury was incurred. In all cases of emergency slaughter, the animals shall be inspected immediately before slaughter. When the necessity for emergency slaughter exists, the establishment shall notify the meat inspector so that such inspection may be made. In the absence of a department

inspector, a licensed practicing veterinarian may be called at the establishment's expense, and such veterinarian shall submit a written statement of his findings to the department.

(b) All animals submitted for emergency slaughter shall be accompanied by a certificate signed by the owner or custodian of the animal at the time of injury providing the following information:

1. Name and address of owner or custodian.
2. Type of injury, including time and date the injury was incurred.
3. Any drugs administered to the animal, either as a feed additive, or in treatment for any condition, and the last date such drugs were administered.
7. Section Ag 47.16 (8) is adopted to read:

Ag 47.16 (8) DOWNER ANIMALS. (a) Animals which are unable to stand or walk unassisted (downer animals) and which do not qualify for emergency slaughter may be received and slaughtered only during regularly scheduled slaughter times when a veterinarian employed by the department is on duty.

(b) Any downer animal submitted for slaughter shall be accompanied by a certificate signed by the owner or custodian of the animal providing the following information:

1. Name and address of owner or custodian.
2. Date that the animal became a downer and the cause of the animal's condition, if known.
3. Any drugs administered to the animal, either as a feed additive, or in treatment for any condition, and the last date such drugs were administered.

(c) Downer animals may be received for slaughter and processing only at plants maintaining adequate facilities for the humane unloading, transport, and holding of such animals. Facilities shall include separate holding pens and skids, mats, or trucks for the moving of downer animals. Downer animals shall not be dragged by the neck, or subjected to any other unnecessary mistreatment or abuse. All downer animals shall be unloaded prior to ante-mortem inspection. Such inspections may not be performed on the truck.

(d) Downer animals may be held for 24 hours for further observation where the cause of the animal's condition cannot be readily determined. Animals which have been treated with drugs for which the prescribed withdrawal time has not been observed shall be condemned or held until the withdrawal times have been met.

(e) Downer animals condemned on ante-mortem inspection shall be killed and injected with carbolic or cresylic acid or other approved denaturant and sent to rendering. Under no circumstances will animals condemned on ante-mortem inspection be dressed out on the premises.

(f) Any trimming of carcasses on post-mortem inspection shall be done before the carcass enters the chill cooler.

(g) Facilities or equipment coming in contact with any condemned animal or part thereof shall be thoroughly cleaned and sanitized before further slaughtering or processing operations are resumed.

8. Section Ag 47.17 (3)(n) is amended to read:

Ag 47.17 (3)(n) Lungs affected with disease, or pathology, or chemical or biological residue shall be condemned and denatured, and shall not be used for animal feed.

9. Section Ag 47.17 (3)(r) is amended to read:

Ag 47.17 (3)(r) No blood which comes in contact with the surface of the body of an animal or is otherwise contaminated shall be collected for food purposes. Only blood from animals, the carcasses of which are inspected and passed, may be used for meat food products. The defibrination of blood intended for food purposes shall not be performed with the hands.

10. Section Ag 47.18 (2) is amended to read:

Ag 47.18 (2) TUBERCULOSIS. The following procedures shall apply to the disposition of carcasses of livestock, based on the difference in the pathogenesis of tuberculosis in swine, cattle, sheep, goats, and equines:

(a) Carcasses condemned. The entire carcass of swine, cattle, sheep, goats, and equines shall be condemned if any of the following conditions occur:

1. When the lesions of tuberculosis are generalized. Tuberculosis is considered to be generalized when the lesions are distributed in a manner made possible only by entry of the bacilli into the systemic circulation.

2. When on ante-mortem inspection the animal is observed to have a fever found to be associated with an active tuberculosis lesion on post-mortem inspection.

3. When there is an associated cachexia.

4. When a tuberculosis lesion is found in any muscle or inter-muscular tissue, or bone, or joint, or abdominal organ (excluding the gastro-intestinal tract) or in any lymph node as a result of draining a muscle, bone, joint, or abdominal organ (excluding the gastro-intestinal tract).

5. When the lesions are extensive in tissues of either the thoracic or abdominal cavity.

6. When the lesions are multiple, acute, and actively progressive.

7. When the character or extent of the lesions otherwise is not indicative of a localized condition.

(b) Organs or other parts condemned. An organ or other part of a swine, cattle, sheep, goat, or equine carcass affected by localized tuberculosis shall be condemned when it contains lesions of tuberculosis or when the corresponding lymph node contains lesions of tuberculosis.

(c) Carcasses of cattle passed without restriction for human food. Carcasses of cattle may be passed without restriction for human food only when the carcass of an animal not identified as a reactor to a tuberculin test administered by federal or state animal officials or an accredited veterinarian is found free of tuberculosis lesions during post-mortem inspection.

(d) Portions of carcasses and carcasses of cattle passed for cooking. (1) When a cattle carcass reveals a tuberculosis lesion or lesions not so severe or so numerous as the lesions described in paragraph (a) of this section, the unaffected portion of the carcass may be passed for cooking if the character and extent of the lesions indicate a localized condition, and if the lesions are calcified or encapsulated, and provided the affected organ or other part is condemned.

(2) When the carcass of a cattle identified as a reactor to a tuberculin test administered by federal or state animal health officials or an accredited veterinarian is found free of lesions of tuberculosis, the carcass may be passed for cooking.

(e) Portions of carcasses and carcasses of swine passed without restriction for human food. Swine carcasses found free of tuber-

tuberculosis lesions during post-mortem inspection may be passed for human food without restriction. When tuberculosis lesions in any swine carcass are localized and confined to one primary seat of infection, such as the cervical lymph nodes, the mesenteric lymph nodes, or the mediastinal lymph nodes, the unaffected portion of the carcass may be passed for human food without restriction after the affected organ or other part is condemned.

(f) Portions of carcasses of swine passed for cooking. When the carcass of any swine reveals lesions more severe or more numerous than those described in paragraph (e) of this section, but not so severe or so numerous as the lesions described in paragraph (a) of this section, the unaffected portions of such carcass may be passed for cooking if the character and extent of the lesions indicate a localized condition, and if the lesions are calcified or encapsulated, and provided the affected organ or other part is condemned.

(g) Carcasses of sheep, goats, and equines passed without restriction for human food. Carcasses of sheep, goats, and equines may be passed without restriction for human food only if found free of tuberculosis lesions during post-mortem inspection.

(h) Portions of carcasses of sheep, goats, and equines passed for cooking. If a carcass of any sheep, goat, or equine reveals a tuberculosis lesion or lesions that are not so severe or so numerous as the lesions described in paragraph (a) of this section, the unaffected portion of the carcass may be passed for cooking if the character and extent of the lesions indicate a localized condition, and if the lesions are calcified or encapsulated, and provided the affected organ or other part is condemned.



(i) Carcasses and parts passed for cooking; utilization for food purposes after cooking. Carcasses and parts passed for cooking may be used for the preparation of meat food products, provided all such carcasses or parts are heated to a temperature not lower than 170½ F. for a period of not less than 30 minutes either before being used in or during the preparation of the finished product.

11. Section Ag 47.20 is adopted to read:

Ag 47.20 OBSTRUCTION OF DEPARTMENT EMPLOYEES. (1) The obstruction of any department employee in the performance of his duties, by the owner or operator of any establishment or his associates or employees, shall be cause for license revocation or denial. Obstruction or denial of access for inspection purposes in establishments where inspection is required as a condition to the sale of meat or meat food products shall further be grounds for the immediate suspension or withdrawal of inspection services on notice or order of the department.

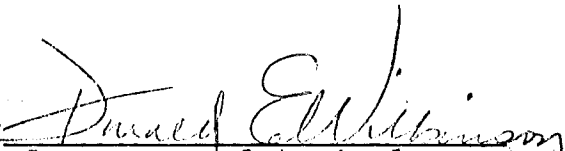
(2) The term "obstruction" includes verbal or physical abuse, the making of threats, the use of offensive language, the use of physical restraint or any other act which impedes, interferes with or impairs the capacity of a department inspector or employee to perform an orderly and full inspection as required by law.

(3) When inspection services are withdrawn under paragraph (1), the owner or operator of the establishment concerned may upon written request demand a hearing thereon within 10 days after suspension or withdrawal of inspection services. Such request shall not serve to stay the suspension or withdrawal of inspection services.

The rules and amendments contained therein shall take effect as provided in Section 227.026, Wis. Stats.

Dated July 31, 1972

STATE OF WISCONSIN  
DEPARTMENT OF AGRICULTURE

By   
Secretary of Agriculture