

**PROPOSED REGULATION OF THE  
DEPARTMENT OF AGRICULTURE**

**LCB FILE NO. R052-18I**

**The following document is the initial draft regulation proposed  
by the agency submitted on 03/21/2018**

## NEW REGULATIONS

Chapter 583 of NAC is hereby amended by adding thereto a new section to read as follows.

### *CUSTOM FARM SLAUGHTERERS, AND CUSTOM SLAUGHTERING ESTABLISHMENTS*

#### *GENERAL PROVISIONS*

Chapter 583 of NAC is hereby amended by adding thereto the provisions set forth as sections 600, to 616 inclusive, of this regulation.

#### *Definitions.*

*The following definitions apply in this chapter.*

- (1) "Custom Farm Slaughterers" are mobile slaughter units that are licensed by NDA to slaughter meat food animals for the owner. The slaughter is done on the owner's farm or at a site approved by the department.*
- (2) "Custom Slaughter Establishment" is a fixed slaughter facility licensed by NDA to slaughter meat food animals for the owner.*
- (3) "Carcass" means all or any parts, including viscera, of a slaughtered animal capable of being used for human food.*
- (4) "Equipment" means all machinery, fixtures, containers, vessels, tools, implements, and apparatus used in and around a custom slaughtering or meat handling establishment, and vehicles used to transport meat.*
- (5) "Meat" means the carcass, parts of carcass, meat and meat food products derived in whole or in part from meat food animals.*
- (6) "Meat by-product" means any edible part other than meat that has been derived from one or more meat food animals.*
- (7) "Meat food bird" for the purposes of processing the carcass shall mean a ratite weighing over one hundred pounds live weight. Ratites weighing less than one hundred pounds live weight may be processed either as poultry or as a "meat food bird."*
- (8) "Meat handling establishment" means any place of business where uninspected meat is stored, frozen, cut, wrapped, or otherwise prepared.*
- (9) "Identifying" means marking, stamping or tagging each half, quarter, and edible part of slaughtered food animal carcasses in a manner approved by the director, for the purpose of tracing such part to the person doing the slaughtering.*
- (10) "Operator" includes any owner, lessee, or manager of a custom slaughtering or meat handling establishment.*
- (11) "Prepared" means canned, salted, rendered, boned, cut up or otherwise manufactured, or processed.*
- (12) "Prepackaged inspected meat" means any inspected meat or meat food product prepared from inspected meat processed or prepared by establishments subject to inspection*

*under a federal meat inspection act and packaged and sealed in a container or wrapping bearing the mark of federal inspection.*

*(13) "Unwholesome" includes meat products that may be diseased, contaminated, putrid, unsound, unhealthful, or otherwise unfit for any reason that would make them unsuitable for human food.*

*(14) "Sanitize" means use of an effective bactericidal treatment process that provides enough accumulated heat or concentration of chemicals for a period of time sufficient to reduce the bacterial count, including pathogens, to a safe level.*

### **Requirements for sanitary operations.**

*Requirements for sanitary operations of custom farm slaughtering and custom slaughtering establishments are hereby adopted by reference in Title 21 C.F.R. Part 110-Current good manufacturing practice in manufacturing, packing or holding human food.*

### **Requirements for the Development of Sanitation SOP's.**

*(1) The Sanitation SOP's shall describe all procedures an official establishment will conduct daily, before and during operations, sufficient to prevent direct contamination or adulteration of product(s).*

*(2) The Sanitation SOP's shall be signed and dated by the individual with overall authority on-site or a higher level official of the establishment. This signature shall signify that the establishment will implement the Sanitation SOP's as specified and will maintain the Sanitation SOP's in accordance with the requirements of this part. The Sanitation SOP's shall be signed and dated upon initially implementing the Sanitation SOP's and upon any modification to the Sanitation SOP's.*

*(3) Procedures in the Sanitation SOP's that are to be conducted prior to operations shall be identified as such, and shall address, at a minimum, the cleaning of food contact surfaces of facilities, equipment, and utensils.*

*(4) The Sanitation SOP's shall specify the frequency with which each procedure in the Sanitation SOP's is to be conducted and identify the establishment employee(s) responsible for the implementation and maintenance of such procedure(s).*

### **Implementation of SOP's.**

*(1) Each official establishment shall conduct the pre-operational procedures in the Sanitation SOP's before the start of operations.*

*(2) Each official establishment shall conduct all other procedures in the Sanitation SOP's at the frequencies specified.*

*(3) Each official establishment shall monitor daily the implementation of the procedures in the Sanitation SOP's.*

**Maintenance of Sanitation SOP's.** *Each official establishment shall routinely evaluate the effectiveness of the Sanitation SOP's and the procedures therein in preventing direct contamination or adulteration of product(s) and shall revise both as necessary to keep them*

*effective and current with respect to changes in facilities, equipment, utensils, operations, or personnel.*

### **Corrective Actions.**

*(1) Each official establishment shall take appropriate corrective action(s) when either the establishment or the department determines that the establishment's Sanitation SOP's or the procedures specified therein, or the implementation or maintenance of the Sanitation SOP's, may have failed to prevent direct contamination or adulteration of product(s).*

*(2) Corrective actions include procedures to ensure appropriate disposition of product(s) that may be contaminated, restore sanitary conditions, and prevent the recurrence of direct contamination or adulteration of product(s), including appropriate reevaluation and modification of the Sanitation SOP's and the procedures specified therein or appropriate improvements in the execution of the Sanitation SOP's or the procedures specified therein.*

## **HAZARD ANALYSIS AND CRITICAL CONTROL POINT (HACCP) SYSTEMS**

### *Hazard Analysis and HACCP Plan.*

#### *(1) Hazard analysis.*

*(a) Every official establishment shall conduct, or have conducted for it, a hazard analysis to determine the food safety hazards reasonably likely to occur in the production process and identify the preventive measures the establishment can apply to control those hazards. The hazard analysis shall include food safety hazards that can occur before, during, and after entry into the establishment. A food safety hazard that is reasonably likely to occur is one for which a prudent establishment would establish controls because it historically has occurred, or because there is a reasonable possibility that it will occur in the facility.*

### *Definitions. For purposes of this part, the following definitions shall apply:*

- 1. Corrective action. Procedures to be followed when a deviation occurs.*
- 2. Critical control point. A point, step, or procedure in a food process at which control can be applied and, as a result, a food safety hazard can be prevented, eliminated, or reduced to acceptable levels.*
- 3. Critical limit. The maximum or minimum value to which a physical, biological, or chemical hazard must be controlled at a critical control point to prevent, eliminate, or reduce to an acceptable level the occurrence of the identified food safety hazard.*
- 4. Food safety hazard. Any biological, chemical, or physical property that may cause a food to be unsafe for human consumption.*
- 5. HACCP System. The HACCP plan in operation, including the HACCP plan itself.*
- 6. Preventive measure. Physical, chemical, or other means that can be used to control an identified food safety hazard. Process-monitoring instrument. An instrument or device used to indicate conditions during processing at a critical control point.*
- 7. Responsible establishment official. The individual with overall authority onsite or a higher level official of the establishment.*

### **General requirements.**

*The following provisions of 21 C.F.R. Chapter I are adopted for regulating food in intrastate commerce.*

- (1) *The following parts in Subchapter A - General.*
  - (a) *Part 1 - General Enforcement Regulations.*
    - (i) *Subpart A General Provisions.*
    - (ii) *Subpart B General Labeling Requirements.*
    - (iii) *Subpart O Sanitary Transportation of Human and Animal Food.*
  - (b) *Part 2 - General Administrative Rulings and Decisions.*
    - (i) *Subpart A General Provisions.*
    - (ii) *Subpart B Human and Animal Foods.*
  - (c) *Part 7 - Enforcement Policy.*
- (2) *All parts of Subchapter B - Food for Human Consumption*

**Person in charge: Demonstration of knowledge**

1. *Based on the risks inherent to the operation, during inspections and upon request, the person in charge shall demonstrate to the department knowledge of the prevention of foodborne illness. The person in charge may demonstrate this knowledge by:*

- (a) *Being a certified food protection manager who has shown proficiency in the required information through passing a test that is part of an accredited program; or*
- (b) *Completing training acceptable to the department.*

## **CUSTOM FARM SLAUGHTERING**

***Additional requirements for sanitary operations of custom farm slaughtering.***

*Mobile custom farm slaughtering units must have:*

(1) *A van body completely covering the unit, but which may exclude the driver's cab and the hoist. The van body must be made of material that is nonporous and impervious to moisture. Wood may be used only as internal framing or spacing material between double nonwooden walls. The van body must be constructed so that it excludes dust, dirt and insects. The construction must be smooth, durable and easily cleanable inside and out.*

(a) *All vans must have the joints at junctions of internal facing surfaces and panels sealed and waterproof. Metal joints must be smooth and splatter free. If metal is used, only stainless steel, galvanized steel, aluminum in good condition or other materials approved by the department may be used. Any insulation used must be of a type that does not absorb water.*

(b) *Minimum interior dimensions of the van, exclusive of room taken up by tanks and other mounted equipment must be:*

- (i) *Height - Six feet.*
- (ii) *Length - Six feet.*
- (iii) *Width - (When using single center rail for hanging carcass) four feet.*
- (iv) *Width - (When using two rails for hanging carcasses) six feet.*

(2) *A hoist of 2,000 pound capacity, capable of lifting a beef carcass to a height that enables the carcass to clear the ground for bleeding and evisceration. This hoist must extend outward from the truck body. If a beef spreader is included as part of the equipment it must be of suitable construction.*

(3) A sterilizing tank constructed of smooth, cleanable, impervious and durable material, large enough to allow complete sanitizing of tools used in the slaughter operation. This sterilizing unit must be filled during all slaughter operations, with potable water maintained at a temperature of at least 180°F. An approved cold sterilant may be used if sufficient hot water is available for preliminary cleaning of contaminated equipment prior to sterilizing.

(4) A water tank built into the vehicle constructed of smooth, cleanable, impervious and durable material with a minimum capacity of forty gallons. No slaughtering operation may be commenced unless at least twenty gallons is available. Water must be delivered to the outlets at a pressure of at least forty pounds per square inch. One hose connection from tank and hose with nozzle must be provided to wash down carcasses. The water system must be maintained to a sanitary condition and be used only for potable water.

(5) Soap and paper towels must be available for washing hands and equipment.

(6) Outer garments worn by persons handling meat must be clean. Disposable coveralls are acceptable.

(7) All tools and equipment must be thoroughly washed and sanitized after each day's operation and between slaughter sites. They must be washed and sanitized if contaminated with viscera contents, abscesses, or foreign material during slaughtering operations.

(8) Meat food animals or meat food bird carcasses must not be transported in the mobile slaughter unit unless each carcass is hung so that it does not touch the floor except for beef carcasses that are dressed with the hide on and are to be delivered to a processing plant within two hours for completion of the dressing procedure. Carcasses with the hide on must be secured and placed in the mobile unit in a manner that prevents contact of hide with bare meat surfaces. Surfaces of the mobile unit that have been contaminated by contact with the hide must be cleaned and sanitized before subsequent carcasses are hauled.

(9) Edible offal must be transported in clean, covered, properly identified containers constructed of approved materials.

(10) No animals other than scalded and dehaired hogs, and defeathered meat food birds, and carcasses exempted under subsection (8) of this section may be dressed and transported with the hide on.

(11) Viscera of all meat food animals and meat food birds must be separated from the carcass at the time of slaughter on the premises where the animal is slaughtered. Feet must be removed from all meat food animals, except hogs, when scalded, and the head shall be removed from beef on the premises where it is slaughtered. Feet and metatarsus must be removed from meat food birds.

(12) All material produced through the slaughter activity, such as inedible offal that may cause the slaughter area to become insanitary, must immediately upon completion of actual slaughter of the animal, be removed from the slaughtering area and disposed of in a sanitary manner. This is the licensee's responsibility.

(13) Meat food birds may be slaughtered by a custom farm slaughterer or custom slaughter establishment but not by a licensed custom poultry processor without prior approval by the director.

(14) Inedible offal may be only transported by a mobile custom slaughtering establishment under the following conditions:

(a) In a covered, watertight trailer constructed of smooth, cleanable, nonpervious material and maintained in a sanitary condition at all times; or

*(b) In approved sanitary containers, in a separate compartment, in the van body. The compartment must be metal lined. There must be no openings from this compartment to the portion of the van used to transport edible products. All inedible offal containers, such as barrels or tubs, must be tightly covered and made of smooth, cleanable and nonpervious materials.*

*(15) A custom farm slaughterer may slaughter his or her own animal for his or her own consumption on any premises, farm or ranch, owned, rented or in any way controlled by him or her. Licensees under this section may slaughter more than one animal only if the animals have been in his or her possession more than sixty days.*

*(16) Whenever a licensee has reason to believe that a meat food animal or meat food product is unwholesome as defined in these rules, he or she must require an examination and declaration of wholesomeness by a licensed veterinarian before proceeding with slaughter or with processing of the carcass.*

*(17) Meat food birds must be slaughtered in a custom farm slaughterer mobile unit unless they are delivered to a custom slaughtering establishment.*

### **Custom farm slaughtering—Special slaughter conditions.**

*A custom farm slaughterer may slaughter an animal only on the premises of the present or first preceding owner of such animal, except as follows:*

*(1) An animal injured to such extent that immediate slaughter at the place of injury is necessary for humane reasons.*

*(2) Animals purchased for custom slaughter at any 4-H and FFA market stock sales and open class carcass contests where ownership of the carcass is retained by the entrant may be slaughtered by a custom farm slaughterer on any premise.*

### **Custom farm slaughtering—Signs.**

*Each custom farm slaughterer's mobile unit must be conspicuously identified with letters and numbers at least three inches high by the words Nevada license or abbreviation NV. Lic. and bear the license number issued by the department to the licensee.*

### **Custom farm slaughtering—Identification of carcass and parts of carcasses.**

*Carcasses or parts of carcasses processed by a custom farm slaughterer must be identified in the following manner:*

*(1) Each operator must obtain from the department prior to slaughtering an animal, an approved tagging device for identifying each carcass slaughtered.*

*(2) Each carcass slaughtered by the licensee must have affixed to each quarter, or side, prior to departure from the slaughtering site, the department approved identifying tag. At the time of tagging the licensee must complete the "custom slaughter report certificate of permit," giving the name and address of the owner; the signature of the owner or agent; name of consignee if applicable; the date of slaughter and the slaughterer's license number; the species of animal slaughtered; the license number of the custom farm slaughtering unit if the meat is to be delivered for processing; and the brand inspection number as required by NRS 565.100. Edible offal delivered to a custom meat facility must be stamped "not for sale" upon arrival.*

### ***Custom farm slaughtering—Reporting of activities.***

*(1) Each custom farm slaughterer must retain the completed custom slaughter certificate of permit report for each animal processed for a period of one year.*

*(2) Failure to maintain or submit reports as required, or the making of fraudulent reports, constitutes grounds for suspension or revocation of an establishment's or slaughterer's license.*

## **CUSTOM SLAUGHTERING ESTABLISHMENTS**

### ***Additional requirements for sanitary operation of custom slaughtering establishments.***

*Custom slaughtering establishments must have:*

*(1) Hot water of sufficient temperature in sufficient quantity to thoroughly clean and sanitize all equipment subject to contamination from dressing or handling of diseased carcasses. For the purpose of this section "sufficient temperature" means at least 160°F for cleaning purposes and 180°F for purposes of sanitizing. If an approved chemical sanitizing agent is used in the sanitizing step, a temperature of 160°F is considered adequate.*

*(2) Properly located sanitizing facilities of approved construction and of sufficient size for complete immersion of butcher tools, and other implements must be provided in the slaughter room and at any other place where the operation is likely to result in the contamination of such equipment and utensils. Such receptacles must have means of heating the water contained therein to 180°F and maintaining it at that temperature during the entire operation. The sanitizers must be designed so that they can be drained after each day's use.*

*(3) Inedible and condemned storage and handling facilities.*

*(a) Adequate facilities for sanitary handling and storage of inedible offal and for sanitizing equipment in which inedible materials were transported must be provided, including one or more properly located enclosed rooms. Hot and cold water must be provided at outlets in or adjacent to the inedible handling room. The necessary doors connecting inedible storage rooms with rooms where edible products are handled must be metal clad, self-closing and tight fitting.*

*(b) A separate refrigerated room capable of maintaining a temperature of 45°F or less must be provided for the storage of inedible material at plants that store such material for a period longer than twenty-four hours. Such rooms must be of sanitary construction and must have impervious floors, walls and ceilings. The floors must be watertight, properly sloped and provided with drains leading to the plant sewage disposal system.*

*(c) All tanks and equipment used for rendering or preparing inedible meat must be in rooms or compartments separate from those used for rendering or preparing edible products.*

*(4) The slaughter floor must be kept reasonably free of blood, fat, scraps, etc. Water must not be permitted to splash from the floor upon unprotected carcasses on the bed or on the half hoist. The bed must be reasonably clean before the carcass is lowered. Clean watertight metal containers in good repair and free from objectionable odors must be provided at convenient locations for the reception of feet, tails, ears, pizzles, or other inedible material. Evisceration must be performed so as to avoid contamination of the carcass with ingesta or fecal material.*

*(5) Carcasses must be washed with water under pressure from a spray nozzle. Towels, rags, cloths, brushes of any kind, or water dipped out of a drum or containers must not be used. Metal*

*drums of containers of water must not be used for washing hands, tools, or parts of carcasses, or for flushing the floor. A carcass that has been contaminated by manure or by pus must have the contaminated portion removed by trimming before being washed.*

*(6) Inedible material must not be placed on the slaughter room floor and must be kept in suitable watertight containers or vehicles until removed from the slaughter room.*

*(7) Skinned beef, calf and vealer heads must not be permitted to come in contact with the floor. The horns, horn butts, muzzles, and all pieces of hide must be removed before the head is washed. If the meat from the head is to be saved, the head must be thoroughly washed individually, and flushed in a head flushing cabinet. This must include a thorough flushing of the mouth, nostrils, and pharynx while the head is hanging in an inverted position.*

*(8) In removing the front feet of cattle and calves, care should be taken to expose as little of the flesh of the fore shank as possible.*

*(9) Calves of such size that there is not a clearance of at least eight inches above the floor, or whose viscera cannot be transported manually and unaided to the inedible room, must be skinned and eviscerated as cattle.*

*(10) Calves dressed hide-on must be thoroughly washed and cleaned prior to making any incision into the carcass other than the sticking wound, except the heads of calves and vealers slaughtered in the "Kosher" method should be skinned prior to washing the carcasses.*

*(11) In slaughtering lambs and sheep, the pelt must be removed and the carcass thoroughly washed and cleaned before any incision is made for evisceration. Adequate care must be taken to prevent soilage of the carcass when removing the pelt.*

*(12) Hog carcasses must be thoroughly washed, cleaned, and singed (when necessary) to remove all hair, scale, scurf, dirt and toenails on the slaughtering floor before any incision is made other than the sticking wound. The forefeet need not be cleaned if discarded in the slaughtering room. Hog heads left on the carcass or saved intact must be thoroughly washed and flushed (nostrils, mouth and pharynx) and have ear tubes and eyelids removed.*

*(13) Paunches must not be opened in the slaughtering room, except when a power operated paunch lift table is provided for this purpose.*

*(14) Carcasses must be removed from the slaughter room to the chill cooler immediately after dressing and washing is completed. Improperly washed or unclean carcasses must not be brought into the coolers.*

### ***Requirements for assignment, stamping, recordkeeping and condemnation of meat.***

*The operator of any custom slaughtering establishment must have in his or her possession certificates of permit or other satisfactory proof of ownership of carcasses or parts thereof in his establishment. Such proof of ownership must be kept on file for a period of six months after receipt of the carcass or part of the carcass.*

### ***Labeling and packaging requirements.***

*(1) All inspected meat and meat food products stored or prepared for the owner thereof, including packages or containers containing any uninspected meat food products, must be marked "NOT FOR SALE" in letters three-eighths of an inch in height immediately upon receipt and immediately after preparing.*

***Fees. (NRS 561.153)***

*(1) An application for a permit to operate a food establishment must be accompanied by the fee established by the Director.*

*(2) The Director may assess a fee for late payments.*

***Fees for annual permits and other services.***

*The Division of Food and Nutrition shall charge and collect fees for annual permits and other services in accordance with the following schedule.*

***Custom Farm Slaughtering***

*For an annual permit for each mobile slaughtering unit..... \$150*

***Custom Slaughtering Facility***

*For an annual permit for a custom slaughtering facility..... \$175*

***Fees for reviewing plans.***

*The Division of Food and Nutrition shall charge and collect the following fees for reviewing plans for custom facilities.*

<i>Custom Farm Slaughtering mobile unit.....</i>	<i>\$75</i>
<i>Custom Slaughtering Facilities.....</i>	<i>\$100</i>

**Chapter 583 of NAC is hereby amended by adding thereto a new section to read as follows.**

***Poultry***

***SPECIAL PERMITS FOR SLAUGHTERING POULTRY***

**Chapter 583 of NAC is hereby amended by adding thereto the provisions set forth as sections 618, to 637 inclusive, of this regulation.**

***Definitions.***

*The following definitions apply in this chapter.*

- (1) "Adequate" means that which is needed to accomplish the intended purpose in keeping with good public health practices.*
- (2) "Agricultural producer" means a person or persons who raise poultry and who slaughter and sell one thousand or fewer whole raw poultry from their farm directly to the ultimate consumer.*
- (3) "Authorized person" means a person or persons who work with the agricultural producer in the preparation and slaughter of poultry under this chapter.*

- (4) "Poultry" means domesticated fowl that is valued for its meat or eggs such as chickens, rabbits, turkeys, ducks or geese.
- (5) "Sanitize" means to adequately treat poultry slaughtering, preparation and sale surfaces by a process that is effective in destroying vegetative cells of microorganisms of public health significance, and in substantially reducing numbers of other undesirable microorganisms, but without adversely affecting the whole raw poultry or its safety for the consumer.
- (6) "Special permit" means a permit to slaughter, prepare and sell one thousand or fewer poultry in a calendar year by the agricultural producer when the poultry are sold directly to the ultimate consumer at the producer's farm. A permit is issued by the department for one year.

### ***Special permit.***

- (1) An application for a special permit may be obtained by: Accessing web site <http://agri.nv.gov/>.
- (2) The department must receive the completed special permit application packet along with check or money order for the permit fee at least six weeks prior to the planned slaughter of poultry. The fee for the special permit is seventy-five dollars for one year.
- (3) The special permit application packet must include:
  - (a) A completed application form;
  - (b) A diagram of the slaughter/preparation site;
  - (c) A description of the processing steps or a process flow diagram;
  - (d) The proposed days or dates of slaughter for the current year;
  - (e) A description of the rinse water and offal disposal procedures; and
  - (f) Documentation verifying that the water used at the slaughter/preparation site complies with the requirements. If the well, spring or other private water supply, the water must have a passing bacterial test conducted within sixty days of submitting the application to the department. A copy of the test results must be attached to the special permit application.
- (4) Once the department receives the special permit application, the applicant will be contacted to schedule an on-site inspection. The inspection must occur before the special permit can be further processed or issued.
- (5) Once received, the special permit must be prominently and conspicuously posted at the slaughter site so customers are able to see it.
- (6) Slaughtering, preparing and selling poultry regulated by this chapter is prohibited prior to receipt of the special permit.

### ***Site Diagram.***

*(1) The site diagram must clearly show the location of all poultry slaughter and preparation equipment, contact work surfaces, chilling equipment, equipment washing and sanitizing sinks or tubs, handwashing areas, rinse water and offal collection areas and poultry rearing areas.*

*(2) All items illustrated on the site diagram under subsection (1) of this section must be clearly labeled.*

### **Site Requirements.**

*At a minimum, the poultry slaughter/preparation site must:*

*(1) Be constructed or assembled to prevent insects, pests, birds, dust, mud and overhead contamination;*

*(2) Include adequate lighting to illuminate the areas where poultry are slaughtered, prepared and sold;*

*(3) Have an adequate handwashing station;*

*(4) Be readily accessible to a toilet facility;*

*(5) Include potable running water;*

*(6) Include a means of safely disposing of rinse water and offal; and*

*(7) Means of properly cooling slaughtered poultry unless the customer takes possession within four hours.*

### **Equipment.**

*All equipment used to slaughter, prepare and sell poultry must be readily cleanable and in good repair.*

### **Mobile processing unit.**

*If the mobile processing unit (MPU) is a self-contained processing unit that meets all of the conditions designed for the sanitary processing of poultry under this chapter, a MPU may be used.*

### **Authorized persons.**

*(1) Only authorized persons may be present in the poultry slaughter site while the slaughter-preparation process is taking place. Unauthorized persons must be kept out of the site.*

*(2) Any authorized person infected with a communicable disease, has open sores or infected cuts on hands, is vomiting or has diarrhea is prohibited from working in the poultry slaughter site.*

*(3) Authorized persons are prohibited from smoking, eating or drinking while in the poultry slaughter site.*

### **Protective clothing.**

*Anyone slaughtering, preparing and selling poultry covered by this chapter must:*

*(1) Wear clean and adequate clothing.*

*"Clean and adequate" means that the clothing must be:*

*(a) Clean at the start of the slaughter-preparation-sale process; and*

*(b) Changed when the clothing becomes soiled when contamination of the raw whole poultry, any process work surface, the equipment used to chill slaughtered poultry or the bags used to transport poultry that are sold becomes imminent; and*

*(c) Suitable to the specific part of the process (slaughter, preparation or sale).*

*(d) Disposable coveralls are acceptable.*

*(2) Remove hand jewelry that cannot be adequately sanitized during periods when carcasses are handled by hand. If such hand jewelry cannot be removed, impermeable or disposable gloves must be worn.*

*(3) Maintain gloves, if they are used in processing, in an intact, clean, and sanitary condition. The gloves should be of an impermeable material.*

*(4) Clean and effective hair restraints, such as hairnets or beard nets are not required, but hats, caps, scarves or other head covers are recommended to prevent contamination of the whole raw poultry being slaughtered, prepared and sold.*

### ***Personal belongings.***

*All personal garments and belongings must be stored separately and apart from the poultry slaughter site to ensure that they do not become a source of contamination to the raw whole poultry, slaughter and preparation work surfaces and equipment, and the bags used to transport poultry that are sold.*

### ***Chemical storage.***

*(1) Commercially purchased detergents, sanitizers and other materials related to the process may be stored in the poultry slaughter site if they are properly labeled with:*

*(a) Product name;*

*(b) Chemical description;*

*(c) Directions for use;*

*(d) Any required precautionary and warning statements;*

*(e) First-aid instructions;*

*(f) Name and address of the manufacturer or distributor; and*

*(g) Any other information required by the U.S. Environmental Protection Agency or other laws or rules.*

*(2) Small "transport" or "use" containers containing detergents, sanitizers or other materials may be stored in the slaughter site but only under the following conditions:*

*(a) The contents must be properly identified on the container. Labeling the container with the common name is acceptable if the original commercially purchased storage container is on hand and properly identified.*

*(b) Food containers must not be used as containers for detergents, sanitizers or toxic materials.*

*(c) Containers used for detergents, sanitizers or other materials must not be used as food containers.*

## **Handwashing.**

- (1) *Anyone involved in the poultry slaughter process must adequately wash their hands:*
  - (a) *Before the poultry slaughtering process begins;*
  - (b) *Between the slaughtering and preparation steps in the process;*
  - (c) *Between the poultry preparation and sale steps in the process;*
  - (d) *After each absence from the poultry slaughter site; and*
  - (e) *Any time hands become contaminated.*
- (2) *"Adequately washing hands" means thoroughly washing hands to prevent contaminating the slaughtered poultry. Adequate handwashing methods consist of:*
  - (a) *Applying soap to hands;*
  - (b) *Using warm water;*
  - (c) *Scrubbing your hands thoroughly; and*
  - (d) *Using methods to rinse and dry hands that prevent contamination.*

## **Handwashing facilities.**

- (1) *Anyone involved in the poultry slaughter process must have access to at least one handwashing station equipped with warm running water, hand soap, and paper towels.*
- (2) *Handwashing stations must be conveniently located in the poultry slaughter site and near toilet facilities.*
- (3) *If handwashing stations are not conveniently located in the poultry slaughter site and near toilet facilities, five-gallon insulated containers with continuous flow spigots filled with warm water between one hundred and one hundred and twenty degrees Fahrenheit with pump type liquid soap, paper towels and five-gallon buckets to catch rinse water are required on-site and near the toilet facilities.*
- (4) *"Hand dips" or "hand sanitizing stations" are recommended but not required in the poultry slaughter site. Sanitizing hands using hand dips or hand sanitizing stations is not a substitute for adequate handwashing methods. However, if hand dips are used, they must be properly positioned and maintained.*
- (5) *"Properly maintained" means sanitizing solutions are:*
  - (a) *Checked and recharged to a strength equal to 100 PPM chlorine or 25 PPM iodine; and*
  - (b) *Changed every four hours while in use.*

## **Toilet facilities.**

- (1) *At least one toilet must be available and conveniently located at the poultry slaughter site.*
- (2) *A domestic toilet is sufficient if the poultry slaughter operation is a family operation where only family members are employed. However, if the operation has employees, toilet facilities must be provided at the slaughtering site or employees must be allowed to use the domestic toilet.*
- (3) *Portable chemical toilets may be used at the poultry slaughter site if they are conveniently located with a self-closing door, screened to exclude insects, and properly maintained.*

(4) All nondomestic toilet areas must be kept clean, free of trash and litter, and in good repair. All doors used to enter the nondomestic toilet area must be self-closing and must not open directly into the poultry slaughter site.

### **Offal disposal.**

The poultry slaughter site must be designed and maintained to ensure that the:

(1) Offal and rinse water the site generates are readily and safely removed; and

(2) Offal and rinse water do not create an unsanitary condition or contaminate:

(a) The raw whole poultry;

(b) Any potable water stored and used at the slaughter site;

(c) Any product contact surfaces at the slaughter site; or

(d) Any bags used to package raw whole poultry sold to the ultimate consumers.

(3) The rinse water disposal system must not allow any backflow from or cross connection between the piping that discharges rinse water and the piping that carries potable water to the poultry slaughter area.

### **Storage requirements.**

(1) All of the poultry slaughter equipment and utensils must be stored so they will not become contaminated between uses.

(2) All utensils used to slaughter and prepare poultry, such as knives, scrapers, scoops, shovels, cutters, and other hand tools and equipment, must be placed or stored to prevent contact surfaces from being contaminated.

(3) Contaminated equipment and utensils must be cleaned and sanitized before they are used again.

### **Sanitary conditions.**

(1) All contact surfaces of equipment, utensils, containers and other articles used in the slaughter and preparation of poultry, must be kept free of any residue or contaminant that could contaminate or adulterate the raw whole poultry carcass.

(2) Residues and contaminants must frequently be removed from all slaughter and preparation contact surfaces to prevent the residues from becoming:

(a) Unwholesome or unfit for the raw whole poultry carcass;

(b) Decomposed, filthy, or putrid; or

(c) Injurious to public health.

(3) All poultry slaughter and preparation contact surfaces must be sanitized:

(a) Before they are used; and

(b) After they are cleaned.

(4) A separate bucket of sanitizer must be kept in the poultry slaughter site for rinsing/storing the wipe down cloths used to sanitize all slaughter equipment and slaughter/preparation contact surfaces. The sanitizing solution in the bucket should be at a minimum 100 ppm (mg/L) for chlorine solution or 50 ppm (mg/L) for iodine solution.

(5) Any non-carcass contact surfaces of equipment used in the slaughter of poultry must be kept reasonably free of dirt, old slaughter/preparation residues, foreign material, dust, mold,

*mildew, slime and other accumulations that occur as a result of the slaughter/preparation operation.*

### ***Water requirements.***

*(1) Any water used in the slaughter, preparation or sale of your poultry must be of a safe and sanitary quality, which means the water supply is potable from an approved source and is monitored according to applicable laws and rules.*

*(2) Processors that operate from single-family residences on private water supplies need only meet bacteriological testing requirements. Optionally, potable water may be hauled onto the poultry slaughter site for use by the processor as long as the transport vehicle and water are of safe and sanitary quality.*

*(3) Water used from a private water system for the slaughter, preparation or sale of poultry must be sampled and tested at least annually. Copies of water test reports must be on file at the farm and available for review by the department during routine slaughter site inspections.*

*(4) Any ice manufactured on the farm for use in the poultry slaughter process must be manufactured from potable water.*

*(5) All ice used at the poultry slaughter site that is not manufactured on the farm must be from an approved source.*

*(6) All ice used at the poultry slaughter site must be properly handled and stored to protect against contamination.*

### ***Packaging requirements.***

*(1) All bags used to package the slaughtered whole poultry must be new, of food grade quality and properly handled and stored, which means they must be protected from potential sources of contamination when they are handled and stored.*

*(2) Methods of properly handling and storing bags at the poultry slaughter site include, but are not limited to:*

*(a) All bags must be stored off of the floor or any other unsanitary surfaces.*

*(b) All bags must be stored in closed boxes or cartons before they are used.*

*(c) Bags must be removed from the closed box or carton in a way that prevents contamination.*

*(d) When a slaughtered whole poultry is inserted into a bag, the bag must be handled so it and the poultry is not exposed to contamination by dust, foreign material or other contaminants.*

*(e) Any bag dropped on the floor or some other unsanitary surface must not be used.*

### ***Cooling and storage requirements.***

*(1) All slaughtered poultry must be chilled to a temperature at or below forty-one degrees Fahrenheit or less within four hours of slaughter unless the customer takes possession of the slaughtered poultry during this time.*

*(2) Chilling poultry may be accomplished through the use of mechanical refrigeration, an ice chest using ice from an approved source, or by being immersed in cold running water.*

(3) A temperature control (TC) must be used to monitor slaughter cool down temperature by inserting a calibrated thermometer into the thickest portion of the first slaughtered poultry carcass and monitoring the temperature to ensure proper chilling at or below forty-one degrees Fahrenheit or less within four hours of slaughter.

(4)(a) Slaughtered poultry can be stored for up to forty-eight hours before they are sold.

(b) During their storage period, poultry carcass temperatures must be kept at or less than forty-one degrees Fahrenheit or less by mechanical refrigeration equipped with a thermometer or by maintaining the carcasses in a properly designed storage container with the use of a temperature control (TC) as outlined in subsection (3) of this section.

(5) All chilled and/or stored poultry carcasses must be protected from physical, chemical, microbial contamination and deterioration.

### **Record keeping requirements.**

(1) At a minimum, the following records must be kept at the special permit holder's farm:

(a) A record of the poultry slaughter dates;

(b) The number of poultry by species slaughtered on each slaughter date and the cumulative total of poultry by species slaughtered;

(c) The temperature control log monitoring proper poultry slaughter cool down and storage; and

(d) The water testing records when required.

(2) All records must be:

(a) Maintained so that the information they intend to convey is clear and understandable.

(b) Available at the farm and available to department inspectors upon request.

(c) Retained at the farm for six months after the expiration of the special permit.

## **EGGS**

Chapter 583 of NAC is hereby amended by adding thereto the provisions set forth as sections 080, to 209 inclusive, of this regulation.

### **Adoption by reference of certain federal publications.**

The department hereby adopts by reference the following publications and regulations: United States Standards, Grades, and Weight Classes for Shell Eggs AMS 56 Effective July 20, 2000 Revision, except as otherwise noted in this section, and any subsequent revision of the publication that has been approved by the director for use in this state. Each revision of the publication shall be deemed approved by the director unless, after review and consultation with the board, the director files an objection to the revision with the board of agriculture within 60 days after the date of publication of the revision. The following changes are made to the Ordinance:

(1) §56.215 General

Section (a) is amended to include the following provisions.

(a) Sampling quantities can be set forth by the director for producers with flocks of less than 3,000 hens.

(2) §56.218 *Weight classes.*

*The table containing minimum net weight for individual eggs at rate per dozen (ounces) shall be substituted with the following:*

*Minimum net weight per individual egg (ounces):*

Jumbo .....	2 5/12
Extra large .....	2 1/6
Large .....	1 11/12
Medium .....	1 2/3
Small .....	1 5/12
Pee wee .....	No minimum

***Best by date defined.***

*This date must not exceed more than 45 days after eggs have been collected. When used in conjunction with a Grade AA designation, this date shall not be more than 30 days from collection date. Other accepted terms for expiration date may include; better before and best if consumed by.*

***Expiration date defined.***

*This date must not exceed more than 45 days after eggs have been collected. In addition, this date must not exceed 30 days from the date of pack. When used in conjunction with a Grade AA designation, this date shall not be more than 30 days from collection date. Other accepted terms for expiration date may include; sell by date, and not to be sold after.*

***Pack date defined.***

*This date must be printed in a 3-digit Julian date format to prevent food waste and must reflect the date the eggs were packaged. All eggs sold in the state of Nevada produced by an in state or out of state production facilities must include the appropriate pack date number for traceability. The pack date is must be used in conjunction with a best by date or expiration date.*

***Plant number defined.***

*All eggs sold in the state of Nevada produced by an in state or out of state production facilities with more than one packing area must include the appropriate plant number for traceability.*

***Animal feed or eggs meant for consumption by animals defined.***

*All shell eggs sold in the state of Nevada meant for animal consumption must be prominently marked in bold font and lettering as animal feed, not meant for human consumption. Font size must not be smaller than 1 inch and must be in a standard type font that is easily read (such as but not limited to: Times New Roman). Animal feed eggs must meet the refrigeration requirements and labeling requirements set forth by the director described herein.*

***Repacking, and repacked eggs defined.***

*Eggs that have been reconditioned due to damage or loss at a warehouse, retail outlet, or similar location.*

***Lot consolidation defined.***

*The removal of damaged eggs from consumer labeled containers and replacement of the damaged eggs with eggs of the same grade, size, sell-by date, brand, lot, and source.*

***Nest run eggs defined.***

*Ungraded shell eggs. It shall be unlawful to sell nest run eggs at retail in the state of Nevada.*

***Principal display panel defined.***

*Principal display panel is for food in packaged form and shall be part of a label most likely to be displayed, presented, shown, or examined under customary conditions of display for retail sale.*

***Ambient temperature defined.***

*Ambient temperature means the temperature of the air surrounding shell eggs.*

***Carton defined.***

*Carton means a consumer package in which shell eggs are packed.*

***Container defined.***

*Container includes any carton, basket, case, cart, pallet, or other receptacle.*

***Treated eggs defined.***

*Shell eggs that have been treated by a process such as pasteurization, irradiation or other method of treatment that changes the interior quality of the egg in a manner that USDA quality standards are not applicable. The standard for treated eggs that cannot be candled to determine the interior quality shall be no more than 7% checks, 1% dirty, leaker or loss (due to meat or blood spots) except such loss may not exceed .3%. Other types of loss are not permitted.*

***Standards of quality for shell eggs of game birds.***

***Game Birds Defined.***

*Turkey, Partridge, Mourning Doves, Ducks of all varieties, Bobwhite Quail, White-winged*

*Doves, Geese of all varieties, Scaled Quail, White-fronted Doves, Brandt, Mearn's Quail, Snipe of all varieties, Grouse, Gambel's Quail, Shore Birds of all varieties, Prairie Chickens, Red-billed Pigeons, Chachalaca, Pheasant of all varieties, Band-tailed Pigeons, Sandhill Cranes, Plover of all varieties. The director may allow other types of game birds to be added to this definition on a case by case basis.*

### ***Game bird eggs offered for sale.***

*Game bird eggs offered for sale must meet the requirement for an egg producing facility. Eggs must be properly stored, marked, and cooled.*

*Game bird shell eggs shall not be sold as:*

- 1. "Dirty" A shell that is unbroken and that has dirt or foreign material adhering to its surface, which has prominent stains, or moderate stains covering more than 1/32 of the shell surface if localized, or 1/16 of the shell surface if scattered. Natural staining or specking is permitted as approved by the director.*
- 2. "Check" An individual egg that has a broken shell or crack in the shell but with its shell membranes intact and its contents do not leak. A "check" is considered to be lower in quality than a "dirty."*
- 3. "Leaker" means an egg that has a crack or break in the shell and the shell membranes to the extent that the egg contents are exuding or free to exude through the shell.*
- 4. "Loss" An egg that is inedible, cooked, frozen, contaminated, musty, or moldy, or an egg that contains a large blood spot, large meat spot, bloody white, green white, rot, sour eggs, stuck yolk, blood ring, embryo chick (at or beyond the blood ring state), free yolk in the white, or other foreign material, or an egg that is adulterated as such term is defined pursuant to the Federal Food, Drug, and Cosmetic Act.*

*Game bird shell eggs shall be sold as:*

- 1. "Clean" if it is free from foreign material and from stains or discolorations (aside from natural markings). An egg may be considered clean if it has only very small specks, stains, or marks from a cage or laying area, which are not of sufficient number or intensity to detract from the generally clean appearance of the egg.*
- 2. Free from any other apparent defects.*

### ***Unfit for human consumption.***

- 1. Unless each container is marked with a best by date or expiration date no more than 45 days after collection, and stored at or under 45 degrees Fahrenheit (7.2° C) ambient air temperature.*
- 2. Unless containers to store eggs at retail are in clean and sanitary condition.
  - a. Exception: If containers are nonporous and reusable, they must be able to be cleaned in a manner to prevent the spread of illness.*
  - b. If they are able to be cleaned, they must be done so in a manner prescribed by the director.**

- c. *Each container must be marked with a current best by date or expiration date. If an old date is present it must be covered, eliminated or removed so that there is only a current best by date is present. In addition, any previous or existing information that does not pertain to the new eggs may not be used and must be covered or prominently marked to ensure old information is not confused with new information. This information must appear on the side of the principal display panel (side lip).*
  - d. *Unless each container is marked with the safe handling guidelines “To prevent illness from bacteria: keep eggs refrigerated, cook eggs until yolks are firm, and cook foods containing eggs thoroughly.” This information must appear on the principal display panel, or sides of the principal display panel (side lips).*
  - e. *Unless each container is marked with “Keep refrigerated at or below 45 degrees Fahrenheit” or a similar language.*
3. *Unless each container has the safe handling guidelines that appears on the label prominently, conspicuously, and in a type size no smaller than one-sixteenth of one inch. The statement must appear in a hairline box and the words "safe handling instructions" must appear in bold capital letters. This information must appear on the principal display panel, or sides of the principal display panel (side lips).*
  4. *Unless each container contains a pack date in the appropriate format as well as a plant number where applicable. This information must appear on the side of the principal display panel (side lip).*

**Refrigeration at origin.**

*Producing and production establishments must refrigerate shell eggs within 36 hours of laying and to store the eggs at 45 degrees Fahrenheit (7.2° C) ambient air temperature or cooler.*

**Cooling requirements.**

*1. After processing and grading, shell eggs packed in consumer containers shall be refrigerated at maximum of 45 degrees Fahrenheit (7.2° C), ambient air temperature. All containers in the cooler room or refrigerator shall be clearly labeled with the words "keep refrigerated," in lettering as follows:*

- Cartons: 1/8 inch minimum*
- Cases: 1 inch minimum*
- Baskets and racks: 1 inch minimum*

*This information must appear on the principal display panel, or sides of the principal display panel (side lips).*

2. Egg coolers and egg storage facilities shall be free from objectionable odors and mold, and shall be maintained in a sanitary condition.
3. All facilities where eggs are offered for sale to consumers, shall be maintained in a clean and sanitary condition. Display and storage temperatures shall be maintained at a maximum of 45 degrees Fahrenheit (7.2° C) ambient air temperature.
4. Refrigeration is required during all transit of graded product when transit time will require an excess of two hours. Temperatures during all transit of graded product shall be maintained at a maximum of 45 degrees Fahrenheit (7.2° C) ambient air temperature.

**Approved source.**

1. If egg producers meet NACXXX – NACXXX inclusive requirements they will be permitted under NRS 576.128.
2. Certified producers in state must purchase and use certified producer seals to brand their product as a Nevada source.
  - a. Additional certified producer seals will be available for sale during normal business hours at the department
  - b. Certified producer seals must only be used in the manner as prescribed by the director
  - c. Must be prominently and conspicuously placed on all cartons, flats or other type of container offered for sale
  - d. Seals may not be reproduced or used in an unapproved manner as described by the director
3. Each container and sub container is marked with the full, correct and unabbreviated designation of size and quality of the eggs contained therein, according to the grade and standards prescribed by the director, and with the name, address, and phone number and/or email of the producer, dealer, retailer or agent by or for whom the eggs were produced, graded or marked. The container must also state the type of eggs contained by common name of the producing bird. This information must appear on the principal display panel and/or front lip of the principal display panel.
  - a. Font size must not be smaller than 1/8 of an inch, and must be in a standard type font that is easily read (such as but not limited to: Times New Roman) (NRS 583, updated to include phone number/email)
4. No labeling misleading to the consumer shall be permitted on shell eggs containers of any type.
5. Cartons that display the safe handling instructions in lid or on the back or side information panels must have a separate refrigeration statement on the principal display panel.

**Application for Direct Marketing of Shell Eggs (previously known as Application for Direct Marketing of Poultry Eggs).**

1. A person who produces eggs in the state must have an Application for Direct Marketing of Shell Eggs on file with the Department of Agriculture.

2. *A person who is exempt from NRS 576.128 or NRS 576.1285 must still meet the minimum requirements of Grade A (at retail) mentioned in the chapter.*
  - a. *In state producers that meet these requirements and want to use certified producer seals must submit an application for Direct Marketing of Shell Eggs.*
  - b. *Are subject to inspection.*
  - c. *Are subject to all of the same requirements of this chapter*

***Inspection of egg facilities.***

*Under the order of the director, an egg production facility shall be denied certification and issued a stop sale if it is found to be:*

1. *In violation of any state law*
2. *In violation of department policy for minimum standards of egg production facility cleanliness*
3. *Operating without a properly maintained refrigerator*
4. *Operating without potable water or without an appropriate hand washing soap*
5. *Operating outside of a designated work area (areas that are not designated work areas include but are not limited to: domestic living areas such as a kitchen, laundry room, or bathroom)*
6. *Improperly maintaining flock health*
7. *Not maintaining records (including but not limited to: eggs collected, dates collected, sales receipts, or flock changes)*
8. *Not using potable water or water from an approved source (factory sealed bottled water and municipal supply are permitted)*
9. *Not using single use wipes and or single use sandpaper when cleaning or sanding eggs*
10. *Not gathering eggs at least once daily.*
11. *Not storing feed and water to prevent animal intrusion or contamination by foreign material*
12. *Not using an appropriate food or water source for production birds*
13. *Refusing access, at any reasonable time, to any representative of the director, to any place of business subject to inspection under any provisions of this chapter.*

***Repacking or lot consolidation by retailers, wholesalers requirements; grounds for loss of privilege.***

*A retailer or wholesaler may repack or consolidate eggs located in a store or storage area as long as the following requirements are met:*

*A retailer that wishes to repack or consolidate eggs shall implement and administer a training program for employees that will perform the repacking/consolidation as part of their duties. The program shall include, but not be limited to, the following:*

- (1) *laws governing egg lot repacking and consolidation:*
  - (A) *same lot code;*

- (B) same source;
- (C) same best by or expiration date;
- (D) same grade;
- (E) same size;
- (F) same brand;
- (2) temperature requirements;
- (3) egg is a hazardous food (FDA Guidelines);
- (4) sanitation;
- (5) egg quality (USDA guidelines);
- (6) original packaging requirements (replacement cartons shall not be utilized, and if so, under circumstances approved by the director); and
- (7) record keeping requirements.

(c) Training shall be conducted annually or more frequently, and may be conducted by any means available, including, but not limited to, online, computer, classroom, live trainers, and remote trainers.

(d) A copy of the training material must be made available upon request from the Department. A copy of the training material may be kept electronically.

(e) Eggs shall be repacked/consolidated in a manner consistent with training materials required by subsection (b).

- (1) Eggs eligible for repacking include dirty eggs or eggs in containers with broken eggs. Eggs that are determined to pose a health risk shall not be eligible for repacking or lot consolidation;
- (2) the eggs are not subject to a stop sale order issued by the director or secretary of agriculture;
- (3) eggs cannot be repacked/consolidated more than once;
- (4) repacked/consolidated eggs must meet grade A requirements and shall not be graded higher than grade A;
- (5) all containers of repacked/consolidated shall have the necessary labeling requirements printed on the outside of the carton which shall additionally include:
  - (A) a statement saying that the eggs have been repacked or consolidated by the retailer or wholesaler where the eggs are located. Font size must not be smaller than 1/4 of an inch, and must be in a standard type font that is easily read (such as but not limited to: Times New Roman);
  - (B) all other container marking requirements previously mentioned in this chapter
- (6) eggs remain subject to inspection during business hours

Retailers or wholesaler may lose the privilege to repack or consolidate eggs if; subject to stop sale:

- (1) The retailer or wholesaler is found postdating repacked/consolidated eggs;
- (2) The eggs have been exposed to a temperature above 45 degrees Fahrenheit (7.2° C) at any point for more than 2 hours;
- (3) the eggs do not meet grade A standards; and
- (4) the retailer or wholesaler has violated any other provision of this act.
- (5) the retailer or wholesaler is found violating any other law

## AMENDED REGULATIONS

**NAC 583.010 is hereby amended to read as follows:**

**NAC 583.010 Definitions and labeling of meat and meat products.** (NRS 439.200) Definitions, labeling and the composition of meat and products not otherwise defined must be as described in the Regulations Governing Meat Inspection of the *United States* Department of Agriculture, 9 C.F.R. Part 319.

[~~Bd. of Health, Meat, Poultry and Shellfish Reg. No. 1b, eff. 7-2-62; A-8-21-62; 7-8-73~~]

**NAC 583.020 is hereby amended to read as follows:**

**NAC 583.020 Stamps.** (NRS 439.200)

1. Each approved slaughter or processing establishment must be issued a number for use on a stamp. Sufficient stamps bearing this number and the name of the plant must be provided.
2. Stamps must be affixed only by an authorized inspector. Stamps must remain in the possession of the authorized inspector at all times.
3. No other stamp may be used by an establishment other than the approved stamp.
4. Stamps must be surrendered to the [~~Board of Health~~] *department* when approved inspection services are withdrawn.

[~~Bd. of Health, Meat, Poultry and Shellfish Reg. No. 7, eff. 7-2-62; A-8-21-62; renumbered as 5, 7-8-73~~]

**NAC 583.030 is hereby amended to read as follows:**

**NAC 583.030 Form of stamps.** (NRS 439.200) The approved stamp authorized by [NAC 583.020](#) must be the stamp of the Meat Inspection Division of the *United States* Department of Agriculture indicating that the meat or meat product has been processed, inspected and is in full compliance with Regulations Governing Meat Inspection of the *United States* Department of Agriculture or the approved stamp of Nevada indicating processing in accordance with [NAC 583.211](#) to [583.500](#), inclusive.

[~~Bd. of Health, Meat, Poultry and Shellfish Reg. No. 1a, eff. 7-2-62; A-8-21-62~~]

**NAC 583.040 is hereby amended to read as follows:**

**NAC 583.040 Game and uninspected products.** (NRS 439.200) Game and similar uninspected products are not to be stored before processing or processed with inspected meat products. These products must be cleaned, prepared for processing and stored in a plant. These products must be handled and processed separately from other meats and foods.

[~~Bd. of Health, Meat, Poultry and Shellfish Reg. No. 1f, eff. 7-2-62; A-8-21-62; renumbered as 1e, 7-8-73~~]

**NAC 583.070 is hereby amended to read as follows:**

**NAC 583.070 Poultry, rabbits, pheasants and similar products.** ~~{(NRS 439.200)}~~

1. Poultry for sale, shipment or distribution in Nevada must be from establishments approved and in compliance with the Poultry Products Inspection Act of the *United States* Department of Agriculture [~~and the regulations concerning food and drink establishments in chapter 446 of NAC~~]. Poultry or containers containing poultry must be labeled indicating processing in an approved plant in Nevada, or from a plant approved and on the current list of approved plants of the *United States* Department of Agriculture.

2. Poultry must be handled and prepared separately from other meat products in retail establishments.

3. Rabbits, pheasants, pigeons and similar products not under the federal inspection program must be from an approved plant in compliance with [~~chapter 446 of NRS,~~] *Title 21 C.F.R. Part 110-Current good manufacturing practice in manufacturing, packing or holding human food* and must be inspected and labeled as required for other meat products.

[~~Bd. of Health, Meat, Poultry and Shellfish Reg. No. 1e, eff. 7-2-62; A 8-21-62; renumbered as 1d, 7-8-73~~]

**NAC 583.221 is hereby amended to read as follows:**

**NAC 583.221 “Capable of use as human food” defined.** [~~(NRS 583.535)~~] “Capable of use as human food” has the meaning ascribed to it in [NRS 583.272](#).

[~~Bd. of Health, Meat Inspection Reg. Art. II § I subsec. h, eff. 11-4-70; renumbered as § A subsec. 8, 3-5-71~~]

**NAC 583.231 is hereby amended to read as follows:**

**NAC 583.231 “Color additive” defined.** [~~(NRS 583.535)~~] “Color additive” means a material which:

1. Is a dye, pigment or other substance made by a process of synthesis or similar article, or extracted, isolated, or otherwise derived, with or without intermediate or final change of identity, from a vegetable, animal, mineral or other source; and

2. When added or applied to a food, drug or cosmetic, or to the human body or any part thereof, is capable, alone or through a reaction with another substance, of imparting color thereto. The term does not include any material which the Secretary of Agriculture, by regulation, determines is used, or intended to be used, solely for a purpose or purposes other than coloring.

[~~Bd. of Health, Meat Inspection Reg. Art. II § I part subsec. p, eff. 11-4-70; renumbered as § A part subsec. 16, 3-5-71~~]

**NAC 583.240 is hereby amended to read as follows:**

**NAC 583.240 “Federal Food, Drug and Cosmetic Act” defined.** [~~(NRS 583.535)~~] “Federal Food, Drug and Cosmetic Act” means the Federal Food, Drug and Cosmetic Act (52 Stat. 1040, as amended, 21 U.S.C. §§ 301 et seq.).

[~~Bd. of Health, Meat Inspection Reg. Art. II § I subsec. o, eff. 11-4-70; renumbered as § A subsec. 15, 3-5-71~~]

**NAC 583.250 is hereby amended to read as follows:**

**NAC 583.250 “Federal Meat Inspection Act” defined.** [~~(NRS 583.535)~~] “Federal Meat Inspection Act” means the Federal Meat Inspection Act (34 Stat. 1260, as amended, 21 U.S.C. §§ 601 et seq.).

[~~Bd. of Health, Meat Inspection Reg. Art. II § I subsec. n, eff. 11-4-70; renumbered as § A subsec. 14, 3-5-71~~]

**NAC 583.260 is hereby amended to read as follows:**

**NAC 583.260 “Firm” defined.** [~~(NRS 583.535)~~] “Firm” means any corporation, partnership, association or other unincorporated business organization.

[Bd. of Health, Meat Inspection Reg. Art. II § I subsec. b, eff. 11-4-70; renumbered as § A subsec. 1, 3-5-71]

**NAC 583.270 is hereby amended to read as follows:**

**NAC 583.270 “Food additive” defined.** [(~~NRS 583.535~~)] “Food additive” means any substance the intended use of which results, or may reasonably be expected to result, directly or indirectly, in its becoming a component or otherwise affecting the characteristics of any food, including any substance intended for use in producing, manufacturing, packing, processing, preparing, treating, packaging, transporting or holding food, and any source of radiation intended for such a use, if the substance is not generally recognized, among experts qualified by scientific training and experience to evaluate its safety, as having been adequately shown through scientific procedures or experience based on the common use of food to be safe under the conditions of its intended use. The term does not include:

1. A pesticide chemical in or on a raw agricultural commodity;
2. A pesticide chemical to the extent that it is intended for use or is used in the production, storage or transportation of any raw agricultural commodity;
3. A color additive;
4. Any substance used in accordance with a sanction or approval granted prior to September 6, 1958, pursuant to this chapter, the Poultry Products Inspection Act (21 U.S.C. §§ 451 et seq.) or the Meat Inspection Act of March 4, 1907, as amended and extended; or
5. A new animal drug.

[Bd. of Health, Meat Inspection Reg. Art. II § I part subsec. p, eff. 11-4-70; renumbered as § A part subsec. 16, 3-5-71]

**NAC 583.280 is hereby amended to read as follows:**

**NAC 583.280 “Label” defined.** [(~~NRS 583.535~~)] “Label” has the meaning ascribed to it in [NRS 583.315](#).

[Bd. of Health, Meat Inspection Reg. Art. I § I subsec. 1, eff. 11-4-70; renumbered as § A subsec. 12, 3-5-71]

**NAC 583.290 is hereby amended to read as follows:**

**NAC 583.290 “Meat food product” defined.** [(~~NRS 583.535~~)] “Meat food product” has the meaning ascribed to it in [NRS 583.345](#).

[Bd. of Health, Meat Inspection Reg. Art. II § I part subsec. q, eff. 11-4-70; renumbered as § A subsec. 7, 3-5-71]

**NAC 583.300 is hereby amended to read as follows:**

**NAC 583.300 “Officer” defined.** [(~~NRS 583.535~~)] “Officer” means the [~~State Health Officer~~] *director*.

[Bd. of Health, Meat Inspection Reg. Art. II § I subsec. a, eff. 11-4-70; renumbered as § A subsec. 1, 3-5-71]

**NAC 583.310 is hereby amended to read as follows:**

**NAC 583.310 “Official inspection mark” defined.** [(~~NRS 583.535~~)] “Official inspection mark” has the meaning ascribed to it in [NRS 583.385](#).

~~[Bd. of Health, Meat Inspection Reg. Art. II § I subsec. r, eff. 11-4-70; renumbered as § A subsec. 18, 3-5-71]~~

**NAC 583.320 is hereby amended to read as follows:**

**NAC 583.320 “Pesticide chemical” defined.** ~~[(NRS 583.535)]~~ “Pesticide chemical” means any substance which, alone, in chemical combination or in formulation with one or more other substances, is an “economic poison” within the meaning of the Federal Insecticide, Fungicide, and Rodenticide Act (61 Stat. 163, as amended, 7 U.S.C. §§ 136 et seq.) and which is used in the production, storage or transportation of raw agricultural commodities.

~~[Bd. of Health, Meat Inspection Reg. Art. II § I part subsec. p, eff. 11-4-70; renumbered as § A part subsec. 16, 3-5-71]~~

**NAC 583.330 is hereby amended to read as follows:**

**NAC 583.330 “Prepared” defined.** ~~[(NRS 583.535)]~~ “Prepared” means slaughtered, canned, salted, rendered, boned, cut up or otherwise manufactured or processed.

~~[Bd. of Health, Meat Inspection Reg. Art. II § I subsec. i, eff. 11-4-70; renumbered as § A subsec. 9, 3-5-71]~~

**NAC 583.340 is hereby amended to read as follows:**

**NAC 583.340 “Raw agricultural commodity” defined.** ~~[(NRS 583.535)]~~ “Raw agricultural commodity” means any food in its raw or natural state, including all fruits that are washed, colored or otherwise treated in their unpeeled natural form before marketing.

~~[Bd. of Health, Meat Inspection Reg. Art. II § I part subsec. p, eff. 11-4-70; renumbered as § A part subsec. 16, 3-5-71]~~

**NAC 583.350 is hereby amended to read as follows:**

**NAC 583.350 Scope.** ~~[(NRS 583.535)]~~ The provisions of [NAC 583.211](#) to [583.530](#), inclusive, provide for:

1. The mandatory inspection of the slaughter of cattle, sheep, swine, goats and equines, and the preparation of carcasses, parts of carcasses, meat and meat food products of the animals, solely for distribution in Nevada;
2. The regulation of related industries; and
3. Cooperation with the *United States* Department of Agriculture.

~~[Bd. of Health, Meat Inspection Reg. Art. I, eff. 11-4-70]~~

**NAC 583.360 is hereby amended to read as follows:**

**NAC 583.360 Authority of Officer.** ~~[(NRS 583.535)]~~ The Officer may:

1. Gather and compile information concerning and investigate the organization, business, conduct, practices and management of any person engaged in intrastate commerce, and the relation of those persons to other persons.

2. Require, by general or special orders, persons engaged in intrastate commerce or any class of them, to file with the Officer, in such form as the Officer may prescribe, annual or special reports or answers in writing to specific questions, furnishing the Officer with the information he or she may require regarding the organization, business, conduct, practices, management and relation to other persons filing the reports or answers in writing. The reports and answers must be made under oath, or otherwise, as the Officer may prescribe, and must be

filed with the Officer within a reasonable period as the Officer may prescribe, unless additional time is granted by the Officer.

[~~Bd. of Health, Meat Inspection Reg. Art. V § IV, eff. 11-4-70; renumbered as § D, 3-5-71~~]

**NAC 583.380 is hereby amended to read as follows:**

**NAC 583.380 Appointment and duties of inspectors.** [~~NRS 583.535~~]

1. The Officer shall appoint inspectors to make examinations and inspections of all cattle, sheep, swine, goats, horses, mules and other equines, of all carcasses and parts thereof, of all meat and meat food products, and of the sanitary conditions of all establishments in which the meat and meat products are prepared.

2. The inspectors shall refuse to stamp, mark, tag or label any carcass or any part thereof, or meat food product prepared in any establishment, until they have actually been inspected and found to be not adulterated.

3. The inspectors shall perform any other duties provided by [NAC 583.211](#) to [583.530](#), inclusive.

4. All inspections and examinations made pursuant to [NAC 583.211](#) to [583.530](#), inclusive, must be made in the manner prescribed by the Officer.

[~~Bd. of Health, Meat Inspection Reg. Art. II § XIII, eff. 11-4-70; renumbered as § M, 3-5-71~~]

**NAC 583.390 is hereby amended to read as follows:**

**NAC 583.390 Access to establishments; destruction of condemned products.** [~~NRS 583.535~~]

1. For any examination and inspection, the inspectors must have access at all times, whether or not the establishment is operating, to every part of the establishment.

2. The inspectors shall mark, stamp, tag or label as “Nevada Inspected and Passed” all products found to be not adulterated.

3. The inspectors shall label, mark, stamp or tag as “Nevada Inspected and Condemned” all products found to be adulterated. All condemned meat food products must be destroyed for food purposes.

4. The Officer may remove inspectors from any establishment who fail to destroy any condemned meat food products.

[~~Bd. of Health, Meat Inspection Reg. Art. II § VI, eff. 11-4-70; renumbered as § F, 3-5-71~~]

**NAC 583.400 is hereby amended to read as follows:**

**NAC 583.400 Antemortem examination.** [~~NRS 583.535~~]

1. An antemortem examination must be made of all cattle, sheep, swine, goats or other meat food animals before slaughter. This examination must be on the day of slaughter, in pens on the premises.

2. Horses, mules or burros must not be slaughtered in the same establishment as other animals for human consumption.

3. Each slaughter establishment must obtain the current Regulations Governing Meat Inspection of the [United States](#) Department of Agriculture and at all times have a copy of this booklet on the premises. The regulations regarding definitions, composition and labeling apply.

4. Diseased animals, carcasses and parts must be disposed of according to the Regulations Governing Meat Inspection of the [United States](#) Department of Agriculture.

5. Slaughtered animals must be cleaned and suspended from an overhead rail, then dressed, examined, prepared and processed, as described in Regulations Governing Meat Inspection of the Department of Agriculture. When the processing and examination of the animal has been completed, the acceptable carcasses and all primal cuts must be stamped with the authorized inspection stamp and numbered by the authorized inspector of the particular establishment.

[Bd. of Health, Meat, Poultry and Shellfish Reg. No. 3, eff. 7-2-62; A 8-21-62; renumbered as 2, 7-8-73]

**NAC 583.410 is hereby amended to read as follows:**

**NAC 583.410 Postmortem inspections. [(NRS 583.535)]**

1. The Officer shall appoint inspectors to make a postmortem examination and inspection of the carcasses and parts of all cattle, sheep, swine, goats, horses, mules and other equines, capable of use as human food, to be prepared at any slaughtering, meat canning, salting, packing, rendering or similar establishment in this State if these articles are prepared solely for intrastate commerce.

2. The carcasses and parts of all such animals found to be not adulterated must be marked, stamped, tagged or labeled as "Inspected and Passed."

3. The inspectors shall label, mark, stamp or tag as "Inspected and Condemned" all carcasses and parts of animals found to be adulterated.

4. All carcasses and parts thereof inspected and condemned must be destroyed for food purposes by the establishment in the presence of an inspector.

5. The Officer may remove inspectors from any establishment which fails to destroy any condemned carcass or part thereof.

6. The inspectors, after the first inspection, shall, when they deem it necessary, reinspect the carcasses or parts thereof to determine whether, since the first inspection, they have become adulterated. If any carcass or any part thereof has upon an examination and inspection subsequent to the first examination and inspection, been found to be adulterated, it must be destroyed for food purposes by the establishment in the presence of an inspector. The Officer may remove inspectors from any establishment which fails to destroy any condemned carcass or part thereof.

[Bd. of Health, Meat Inspection Reg. Art. II § IV, eff. 11-4-70; renumbered as § D, 3-5-71]

**NAC 583.420 is hereby amended to read as follows:**

**NAC 583.420 Nighttime inspections. [(NRS 583.535)]** The Officer must order an examination and inspection of all cattle, sheep, swine, goats, horses, mules and other equines, and the food products thereof, slaughtered and prepared in establishments for the purpose of intrastate commerce to be made during the nighttime as well as during the daytime when the slaughtering of cattle, sheep, swine, goats, horses, mules and other equines, or the preparation of food products is conducted during the nighttime.

[Bd. of Health, Meat Inspection Reg. Art. II § IX, eff. 11-4-70; renumbered as § I, 3-5-71]

**NAC 583.430 is hereby amended to read as follows:**

**NAC 583.430 Sanitation inspections. [(NRS 583.535)]**

1. The Officer shall order inspections made, by experts in sanitation or by other competent inspectors, of all slaughtering, meat canning, salting, packing, rendering or similar

establishments in which cattle, sheep, swine, goats, horses, mules and other equines are slaughtered and the meat and meat food products are prepared solely for intrastate commerce.

2. These inspections may be made as necessary to inform the Officer of the sanitary conditions.

3. The Officer shall prescribe the conditions of sanitation under which the establishments must be maintained.

4. If the sanitary conditions of any establishment are such that the meat or meat food products are rendered adulterated, the Officer shall refuse to allow the meat or meat food products to be labeled, marked, stamped or tagged as “Nevada Inspected and Passed.”

[~~Bd. of Health, Meat Inspection Reg. Art. II § VIII, eff. 11-4-70; renumbered as § H, 3-5-71~~]

**NAC 583.440 is hereby amended to read as follows:**

**NAC 583.440 Labeling and marking. [~~NRS 583.535~~]**

1. When any meat or meat food product prepared for intrastate commerce has been inspected and marked “Nevada Inspected and Passed” and is placed or packed in any can, pot, tin, canvas or other receptacle or covering in any establishment where the inspection is conducted, the person preparing the product must attach a label to the can, pot, tin, canvas or other receptacle or covering, under the supervision of an inspector. The label must state that the contents have been “Nevada Inspected and Passed” under the provisions of [NAC 583.211](#) to [583.530](#), inclusive.

2. No inspection and examination of meat or meat food products deposited or enclosed in cans, tins, pots, canvas or other receptacle or covering in any establishment where the inspection is conducted is complete until the meat or meat food products have been sealed or enclosed in the can, tin, pot, canvas or other receptacle or covering under the supervision of an inspector.

3. All carcasses, parts of carcasses, meat and meat food products inspected at any establishment and found to be not adulterated, must, at the time they leave the establishment, bear, in distinctly legible form, directly on it or on their containers, as the Officer may require, the information required under [NAC 583.410](#).

4. The Officer, whenever he or she determines action is necessary for the protection of the public, may prescribe:

(a) The styles and sizes of type to be used with respect to material required to be incorporated in labeling to avoid the false or misleading labeling of any articles or animals.

(b) Definitions and standards of identity or composition for articles and standards for filling containers for the articles which are not consistent with any standards established under the Federal Food, Drug and Cosmetic Act or under the Federal Meat Inspection Act. There must be consultation between the Officer and the Secretary of Agriculture of the United States before the issuance of the standards to avoid inconsistency between the standards and the federal standards.

5. No article may be sold or offered for sale by any person in intrastate commerce, under any name or other marking or labeling, which is false or misleading, or in any container of a misleading form or size. Established trade names and other marking and labeling and containers which are not false or misleading and which are approved by the Officer are permitted.

6. If the Officer has reason to believe that any marking or labeling or the size or form of any container in use or proposed for use with respect to any article is false or misleading, the Officer may direct that the use be withheld unless the marking, labeling or container is modified in such a manner that it will not be false or misleading. If the person using or proposing to use the marking, labeling or container does not accept the determination of the Officer, the person may

request a hearing. The use of the marking, labeling or container must, if the Officer directs, be withheld pending hearing and a final determination by the Officer. Any determination by the Officer is subject to judicial review.

~~[Bd. of Health, Meat Inspection Reg. Art. II § VII, eff. 11-4-70; renumbered as § G, 3-5-71]~~

**NAC 583.450 is hereby amended to read as follows:**

**NAC 583.450 Reinspection before entry into official establishment. ~~[(NRS 583.535)]~~**

1. The provisions of [NAC 583.380](#) to [583.460](#), inclusive, apply to all carcasses or parts of carcasses of cattle, sheep, swine, goats, horses, mules and other equines, or the meat or meat products thereof, capable of use as human food, which may be brought into any slaughtering, meat canning, salting, packing, rendering or similar establishment, where inspection is maintained.

2. The examination and inspection must be made before the carcasses or parts thereof are allowed to enter into any department where they are to be treated and prepared for meat food products.

3. The provisions of [NAC 583.380](#) to [583.460](#), inclusive, also apply to all products which, after having been issued from any slaughtering, meat canning, salting, packing, rendering or similar establishment, are returned and an inspection is maintained.

4. The Officer may limit the entry of carcasses, parts of carcasses, meat and meat food products, and other materials into any establishment at which an inspection is maintained, under such conditions as the Officer may prescribe to assure that allowing the entry of the articles into inspected establishments will be consistent with the purposes of [NAC 583.211](#) to [583.530](#), inclusive.

~~[Bd. of Health, Meat Inspection Reg. Art. II § V, eff. 11-4-70; renumbered as § E, 3-5-71]~~

**NAC 583.460 is hereby amended to read as follows:**

**NAC 583.460 Labels: Prohibited acts. ~~[(NRS 583.535)]~~**

1. No brand manufacturer, printer or other person may cast, print, lithograph or otherwise make any device containing any official mark or imitation, or any label bearing any mark or imitation or any form of official certificate or imitation except as authorized by the Officer.

2. No person may:

(a) Forge any official device, mark or certificate;

(b) Without authorization from the Officer, use any official device, mark, certificate or imitation, or alter, detach, deface or destroy any official device, mark or certificate;

(c) Contrary to the regulations prescribed by the Officer, fail to use, detach, deface or destroy any official device, mark or certificate;

(d) Knowingly possess, without promptly notifying the Officer or his or her representative, any official device or any counterfeit, simulated, forged or improperly altered official mark;

(e) Knowingly make any false statement in any shipper's certificate or other nonofficial or official certificate provided for in the regulations prescribed by the Officer; or

(f) Knowingly represent that any article has been inspected and passed or exempted when it has not been inspected, passed or exempted.

~~[Bd. of Health, Meat Inspection Reg. Art. II § XI, eff. 11-4-70; renumbered as § K, 3-5-71]~~

**NAC 583.470 is hereby amended to read as follows:**

**NAC 583.470 Withdrawal of inspection services. ~~[(NRS 583.535)]~~**

1. The Officer may, for such period as the Officer deems necessary to effectuate the purposes of [NAC 583.211](#) to [538.530](#), inclusive, refuse to provide or withdraw inspection services for any establishment if he or she determines, after opportunity for a hearing is accorded to the applicant for, or recipient of, the service, that the applicant or recipient is unfit to engage in any business requiring inspection because the applicant or recipient, or anyone responsibly connected with the applicant or recipient has been convicted in any federal or state court, of:

(a) A felony; or

(b) More than one violation of any law, other than a felony, based upon the acquiring, handling or distributing of unwholesome, mislabeled or deceptively packaged food or upon fraud in connection with transactions in food.

2. This section does not affect other provisions for the withdrawal of inspection services from establishments failing to maintain sanitary conditions or to destroy condemned carcasses, parts, meat or meat food products.

3. For the purpose of this section, a person is responsibly connected with the business if the person was a partner, officer, director, holder or owner of at least 10 percent of its voting stock or employee in a managerial or executive capacity. The determination and order of the Officer under this section is final and conclusive unless the affected applicant for, or recipient of, inspection services files an application for judicial review.

[~~Bd. of Health, Meat Inspection Reg. Art. V § I, eff. 11-4-70; renumbered as § A, 3-5-71~~]

**NAC 583.490 is hereby amended to read as follows:**

**NAC 583.490 Seizure and condemnation. [~~NRS 583.535~~]**

1. Any carcass, part of a carcass, meat or meat food product of cattle, sheep, swine, goats, horses, mules or other equines, or any dead, dying, disabled or diseased cattle, sheep, swine, goat or equine, that is being transported in intrastate commerce, or is held for sale in this State after transportation and that:

(a) Is or has been prepared, sold, transported or otherwise distributed or offered or received for distribution in violation of [NAC 583.211](#) to [583.530](#), inclusive;

(b) Is capable of use as human food and is adulterated or misbranded; or

(c) In any other way is in violation of [NAC 583.211](#) to [583.530](#), inclusive, may be proceeded against and seized and condemned, by any court of competent jurisdiction.

2. If the article or animal is condemned, it must, after entry of the decree, be disposed of by destruction or sale as the court may direct.

3. In no case may the article or animal be sold contrary to the provisions of [NAC 583.211](#) to [583.530](#), inclusive, the Federal Meat Inspection Act or the Federal Food, Drug and Cosmetic Act.

4. The provisions of this section do not limit the authority for condemnation or seizure conferred by other provisions of [NAC 583.211](#) to [583.530](#), inclusive, or other laws.

[~~Bd. of Health, Meat Inspection Reg. Art. V §§ II & III, eff. 11-4-70; renumbered as §§ B & C, 3-5-71~~]

**NAC 583.500 is hereby amended to read as follows:**

**NAC 583.500 Federal Meat Inspection Act. [~~NRS 583.535~~]** The requirements of [NAC 583.211](#) to [583.530](#), inclusive, apply to persons, animals and articles regulated under the Federal Meat Inspection Act only to the extent provided for in Section 408 of the Federal Act.

[~~Bd. of Health, Meat Inspection Reg. Art. V § V, eff. 11-4-70; renumbered as § E, 3-5-71~~]

**NAC 583.510 is hereby amended to read as follows:**

**NAC 583.510 Federal assistance. [~~NRS 583.535~~]**

1. The Officer will cooperate with the Secretary of Agriculture under the provisions of Section 301 of the Federal Meat Inspection Act in developing and administering the program for inspecting meat in this State to assure that not later than November 15, 1969, the program's requirements will be at least equal to those imposed under Titles I and IV of the Federal Meat Inspection Act and in developing and administering the program in a manner that will effectuate the purposes of [NAC 583.211](#) to [583.530](#), inclusive, and the Federal Act.

2. In cooperative efforts, the Officer will accept from the Secretary, advisory assistance in planning and developing the State's program, technical and laboratory assistance and training, including necessary curricular and instructional materials and equipment, and financial and other aid for the administration of the program.

3. The Officer shall recommend to the Secretary of Agriculture officials or employees of Nevada designated by the Officer, for appointment to the advisory committees provided for in Section 301 of the Federal Meat Inspection Act. The Officer shall serve as consultant with the Secretary under paragraph (c) of Section 301 of the Act.

[~~Bd. of Health, Meat Inspection Reg. Art. IV § I, eff. 11-4-70; renumbered as § A, 3-5-71~~]

**NAC 583.520 is hereby amended to read as follows:**

**NAC 583.520 Adoption of federal regulations. [~~NRS 583.535~~]** The cooperative agreement between the [~~Health Division of the Department of Health and Human Services~~] *Department of Agriculture* and the Consumer and Marketing Service of the *United States* Department of Agriculture contemplates that the status of slaughter and processing plants in Nevada will be equal to those required at plants under federal inspection. To accomplish this, the Board of [~~Health~~] *Agriculture* hereby adopts as regulations the applicable sections of Part 302 to Part 320, inclusive, of the Regulations Governing Meat Inspection of the *United States* Department of Agriculture.

[~~Bd. of Health, Meat Inspection Reg. Art. VI, eff. 11-4-70~~]

**NAC 583.530 is hereby amended to read as follows:**

**NAC 583.530 Exemptions. [~~NRS 583.515, 583.535~~]**

1. The provisions requiring the inspection of the slaughter of animals and the preparation of the carcasses, parts thereof, meat and meat food products at establishments conducting the operations do not apply to:

(a) The slaughtering by any person of animals the person raised; and

(b) The preparation by the person, and the transportation in intrastate commerce of the carcasses, parts thereof, meat and meat food products of the animals exclusively for use by the person, members of his or her household and his or her nonpaying guests and employees.

2. The provisions requiring the inspection of the slaughter of animals and the preparation of carcasses, parts thereof, meat and meat food products do not apply to operations traditionally and usually conducted at retail stores and restaurants, when conducted at any retail store or restaurant or similar retail establishment for sale in normal retail quantities or service of the articles to consumers at the establishments.

3. The slaughter of animals and the preparation of articles referred to in subsection 2 must be conducted in accordance with the sanitary conditions the Officer may prescribe by regulation. Violations of any regulation is prohibited.

4. The provisions concerning adulteration and misbranding, other than the requirement of the inspection legend, apply to articles not required to be inspected under [NAC 583.211](#) to [583.530](#), inclusive.

## Eggs

**NAC 583.090 is hereby amended to read as follows:**

**NAC 583.090 General terms defined. ([NRS 583.130](#))**

1. “Brand” means any term, design or trademark used on any container or lot to identify the producer, dealer, retailer or agent by or for whom the eggs were packed.

2. “Case” means a container holding 30 dozen shell eggs.

3. “Leaker” means an egg that has a crack or break in the shell and the shell membranes to the extent that the egg contents are exuding or free to exude through the shell.

4. “Loss” [~~means an egg that is unfit for human food as defined in [NRS 583.140](#), is smashed or broken so that the contents are leaking, cooked, frozen or contaminated or contains bloody whites, large blood spots, large unsightly meat spots or other foreign material.~~] *An egg that is inedible, cooked, frozen, contaminated, musty, or moldy, or an egg that contains a large blood spot, large meat spot, bloody white, green white, rot, sour eggs, stuck yolk, blood ring, embryo chick (at or beyond the blood ring state), free yolk in the white, or other foreign material, or an egg that is adulterated as such term is defined pursuant to the Federal Food, Drug, and Cosmetic Act.*

5. “Lot” means any quantity of eggs of the same size and quality assembled at one location and under one brand.

[St. Quarantine Officer, part No. 83.09, eff. 3-1-58; A 4-1-72]—(NAC A 11-7-84)

## REPEALED REGULATIONS

### CHAPTER 583 - MEAT, FISH, PRODUCE, POULTRY AND EGGS

#### MEAT AND FISH

~~[[583.050](#) — Adulterated meat or meat food products.]~~

#### EGGS

~~[583.100 — Terms descriptive of the shell defined.]~~

~~[583.111 — Terms descriptive of the air cell defined.]~~

~~[583.121 — Terms descriptive of the white defined.]~~

~~[583.131 — Terms descriptive of the yolk defined.]~~

~~[583.141 — Standards of quality for shell eggs of domesticated chickens.]~~

~~[583.151 — Consumer grades for shell eggs.]~~

~~[583.161 — Standards for size and weight classification of shell eggs.]~~

~~[583.171 — Summary of grades for shell eggs.]~~

~~[583.201 — Official samples.]~~

MEAT AND POULTRY INSPECTION

~~[583.370 — Inspection service.]~~

~~[583.480 — Bribes.]~~

**NAC 583.050 is hereby repealed:**

~~[ — NAC 583.050 Adulterated meat or meat food products. (NRS 439.200) — The term “adulterated” applies to any carcass, part thereof, meat or meat food product which:~~

~~— 1. Bears or contains any poisonous or deleterious substance which may render it injurious to health. If the substance is not an added substance, the article is not considered adulterated if the quantity of the substance in or on the article does not ordinarily render it injurious to health.~~

~~— 2. Bears or contains, by reason of the administration of any substance to the live animal or otherwise, any added poisonous or added deleterious substance, other than one which is:~~

~~— (a) A pesticide chemical in or on a raw agricultural commodity;~~

~~— (b) A food additive; or~~

~~— (c) A color additive, which may, in the judgment of the State Health Officer, make the article unfit for human food.~~

~~— 3. Is, in whole or in part, a raw agricultural commodity and the commodity bears or contains a pesticide chemical which is unsafe within the meaning of section 408 of the Federal Food, Drug and Cosmetic Act.~~

~~— 4. Bears or contains any food additive which is unsafe within the meaning of section 409 of the Federal Food, Drug and Cosmetic Act.~~

~~— 5. Bears or contains any color additive which is unsafe within the meaning of section 706 of the Federal Food, Drug and Cosmetic Act if an article which is not adulterated under subsections 3 to 5, inclusive, is adulterated if use of the pesticide chemical, food additive or color additive in or on the article is prohibited by the regulations of the Board of Health in establishments at which inspections are conducted.~~

~~— 6. Consists, in whole or in part, of any filthy, putrid or decomposed substance or is for any other reason unsound, unhealthful, unwholesome or otherwise unfit for human food.~~

~~— 7. Has been prepared, packed or held under unsanitary conditions where it may have become contaminated with filth or where it may have been rendered injurious to health.~~

~~— 8. Is, in whole or in part, the product of an animal which has died other than by slaughter.~~

~~— 9. Is in a container composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health.~~

~~— 10. Has been intentionally subjected to radiation, unless the use of the radiation was in conformity with a regulation or exemption in effect pursuant to section 409 of the Federal Food, Drug and Cosmetic Act.~~

~~— 11. Has a valuable element that has been, in whole or in part, omitted or abstracted from it, any substance has been substituted, wholly or in part, for it, damage to it or inferiority has been concealed in any manner, or any substance has been added to it, mixed or packed, to increase its bulk or weight, reduce its quality or strength or make it appear better or of greater value than it is.~~

~~— 12. Is margarine containing animal fat and any of the raw material used therein consisting in whole or in part of any filthy, putrid or decomposed substance.~~

~~— [Bd. of Health, Meat, Poultry and Shellfish Reg. No. 6, eff. 7-8-73]]~~

**NAC 583.100 is hereby repealed:**

~~NAC 583.100 Terms descriptive of the shell defined. (NRS 583.130) — A shell egg is:~~

~~— 1. “Abnormal” if it is somewhat unusual or decidedly misshapen, lacks soundness or strength, or shows pronounced ridges or thin spots.~~

~~— 2. “Clean” if it is free from foreign material and from stains or discolorations that are readily visible. An egg may be considered clean if it has only very small specks, stains, or marks from a cage, which are not of sufficient number or intensity to detract from the generally clean appearance of the egg. Eggs that show traces of processing oil on the shell are considered clean unless otherwise soiled.~~

~~— 3. “Dirty” if it has dirt or foreign material adhering to its surface or has prominent or moderate stains in excess of those permitted for eggs of B quality.~~

~~— 4. “Practically normal” if it approximates the usual shape and is sound and free of thin spots. Slight ridges and rough areas that do not materially affect the shape and strength of the shell are permitted.~~

~~— [St. Quarantine Officer, No. 83.05, eff. 3-1-58; A 4-1-72] — (NAC A 9-7-82) — (Substituted in revision for NAC 583.130)~~

**NAC 583.111 is hereby repealed:**

~~NAC 583.111 Terms descriptive of the air cell defined. (NRS 583.130)~~

~~— 1. “Bubbly air cell” means a ruptured air cell resulting in one or more small separate air bubbles usually floating beneath the main air cell.~~

~~— 2. “Depth of air cell” refers to the air space between shell membranes normally in the large end of the egg and means the distance from its top to its bottom when the egg is held air cell upward.~~

~~— 3. “Free air cell” means an air cell that moves freely toward the uppermost point in the egg as the egg is rotated slowly.~~

~~— 4. An air cell is “practically regular” if it maintains a practically fixed position in the egg and shows a fairly even outline with not more than 1/4 inch movement in any direction as the egg is rotated.~~

~~— [St. Quarantine Officer, No. 83.06, eff. 3-1-58; A 4-1-72] — (Substituted in revision for NAC 583.140)~~

**NAC 583.121 is hereby repealed:**

~~NAC 583.121 Terms descriptive of the white defined. (NRS 583.130) — The white of an egg is:~~

~~— 1. A “bloody white” if blood is diffused through the white.~~

~~— 2. “Clear” if it is free from discolorations or from any foreign bodies floating in it. (Prominent chalazas must not be confused with foreign bodies such as spots or blood clots.)~~

~~— 3. “Firm” if it is sufficiently thick or viscous to prevent the outline of the yolk from being more than slightly defined or indistinctly indicated when the egg is twirled.~~

~~— 4. “Reasonably firm” if it is somewhat less thick or viscous than a firm white. A reasonably firm white permits the yolk to approach the shell more closely, which results in a fairly well defined outline of the yolk when the egg is twirled.~~

~~— 5. “Weak and watery” if it is slightly weak, thin and generally lacking in viscosity. A weak and watery white permits the yolk to approach the shell closely, causing the outline of the yolk to appear plainly visible and dark when the egg is twirled.~~

—[St. Quarantine Officer, No. 83.07, eff. 3-1-58; A 4-1-72]— (NAC A 9-7-82; 11-7-84)

**NAC 583.131 is hereby repealed:**

—NAC 583.131— Terms descriptive of the yolk defined. (NRS 583.130)

—1. “Blood due to germ development” means blood caused by the development of a germ in a fertile egg to the point where the blood is visible as definite lines or as a blood ring.

—2. “Clearly visible germ development” means development of a germ spot on the yolk of a fertile egg that has progressed to a point where it is plainly visible as a definite circular area or spot with no blood in evidence.

—3. A yolk has “definite but not serious defects” if it shows definite spots or areas on its surface but with only a slight indication of germ development or other pronounced or serious defects.

—4. A yolk is “enlarged and flattened” if the membranes and tissues of the yolk have weakened and moisture has been absorbed from the white to such an extent that the yolk appears definitely enlarged and flat.

—5. A yolk has “serious defects” if it shows well developed spots or areas and other serious defects such as olive yolks which do not render the egg inedible.

—6. “Outline fairly well defined” means the outline of a yolk is discernible but not clearly defined as the egg is twirled.

—7. “Outline plainly visible” means the outline of a yolk is clearly visible as a dark shadow when the egg is twirled.

—8. “Outline slightly defined” means the outline of a yolk is indistinctly indicated and appears to blend into the surrounding white as the egg is twirled.

—9. A yolk is “practically free from defects” if it shows no germ development although it may show other very slight defects on its surface.

—[St. Quarantine Officer, No. 83.08, eff. 3-1-58; A 4-1-72]— (NAC A 9-7-82) (Substituted in revision for NAC 583.160)

**NAC 583.141 is hereby repealed:**

—NAC 583.141— Standards of quality for shell eggs of domesticated chickens. (NRS 583.130) Shell eggs of domesticated chickens, except eggs which have been removed from incubation after partial development, must be classified according to the following standards of quality:

—1. AA quality: The shell must be clean, unbroken and practically normal. The air cell must not exceed one eighth of an inch in depth, measured at destination, and may show unlimited movement and be free or bubbly. The white must be clear and firm. The yolk must be practically free from apparent defects.

—2. A quality: The shell must be clean, unbroken and practically normal. The air cell must not exceed three sixteenths of an inch in depth, measured at destination, and may show unlimited movement and be free or bubbly. The white must be clear and at least reasonably firm. The yolk must be practically free from apparent defects.

—3. B quality:

—(a) The shell must be unbroken, may be abnormal and show slight stains, but it may not have adhering dirt.

~~—(b) When a stain is localized, approximately one thirty-second of the surface of the shell may be moderately stained. When the moderately stained areas are scattered, approximately one-sixteenth of the surface of the shell may be moderately stained.~~

~~—(c) The air cell may show unlimited movement and may be free or bubbly, but must not exceed three-eighths of an inch in depth, measured at destination.~~

~~—(d) The white may be weak and watery.~~

~~—(e) The yolk may appear dark, enlarged and flattened. It may show clearly visible germ development but may not show the presence of blood due to that development. Small blood clots or meat spots which, in the aggregate, are not more than one-eighth of an inch in diameter may be present.~~

~~—4. Check quality: The shell is broken or cracked but the membranes of the shell must be intact and the contents of the shell must not leak. A checked egg is of lower quality than a dirty one.~~

~~—[St. Quarantine Officer, No. 83.02, eff. 3-1-58; A 4-1-72]—(NAC A 9-7-82; 11-7-84; 10-17-86)~~

### **NAC 583.151 is hereby repealed:**

~~—NAC 583.151—Consumer grades for shell eggs. (NRS 583.130)~~

~~—1. A grade AA quality lot at destination consists of eggs at least 72 percent of which are AA quality, 10 percent or more of the remaining are A quality and 18 percent or less are B quality. The percentage of B quality must not be more than 1 percent B quality due to air cells over three-eighths of an inch, blood spots (aggregating not more than one-eighth of an inch in diameter), or serious defects in the yolks. Checks must not exceed 7 percent (9 percent for jumbo size). Leakers, dirties or losses due to meat or blood spots, in any combination, must not exceed 1 percent except loss must not exceed 0.3 percent. Other types of loss are not permitted.~~

~~—2. A grade A quality lot at destination consists of eggs at least 82 percent of which are A quality or better, not more than 18 percent are below A quality, not more than 1 percent are B quality due to air cells over three-eighths of an inch, meat or blood spots (aggregating not more than one-eighth of an inch in diameter) or serious defects in the yolks, not more than 7 percent (9 percent for jumbo size) are checks, and not more than 1 percent are leakers, dirties or losses due to meat or blood spots, in any combination. The loss may not exceed 0.3 percent. Other types of loss are not permitted.~~

~~—3. A grade B quality lot at destination consists of eggs at least 90 percent of which are B quality or better, not more than 10 percent are checks and not more than 1 percent are leakers, dirties or losses due to meat or blood spots in any combination. The loss may not exceed 0.3 percent. Other types of loss are not permitted.~~

~~—4. In lots of two or more cases:~~

~~—(a) For grade AA, each individual case must contain at least 62 percent AA quality eggs.~~

~~—(b) For grade A, each individual case must contain at least 72 percent A quality eggs.~~

~~—(c) For grade B, each individual case must contain at least 80 percent B quality eggs.~~

~~—(d) For any grade, a tolerance of 3.3 percent for eggs in the next lower class by weight is permitted for the lot if no individual case within the lot exceeds 5 percent.~~

~~—(e) A lot will not be rejected or downgraded because of the quality of a single egg except for loss other than blood or meat spots.~~

~~—[St. Quarantine Officer, No. 83.03, eff. 3-1-58; A 4-1-72]—(NAC A 9-7-82; 11-7-84)~~

**NAC 583.161 is hereby repealed:**

~~— NAC 583.161 Standards for size and weight classification of shell eggs. (NRS 583.130)~~

~~NEVADA STANDARDS FOR SIZE AND WEIGHT CLASSIFICATION OF SHELL EGGS AT THEIR DESTINATION~~

<del>Class</del>	<del>Minimum Net Weight Per Dozen (Ounces)</del>	<del>Minimum Net Weight Per 30 Dozen (Pounds)</del>	<del>Minimum Net Weight Per Individual Egg (Ounces)</del>
<del>Jumbo</del>	<del>30</del>	<del>56.0</del>	<del>2 5/12</del>
<del>Extra Large</del>	<del>27</del>	<del>50.5</del>	<del>2 1/6</del>
<del>Large</del>	<del>24</del>	<del>45.0</del>	<del>1 11/12</del>
<del>Medium</del>	<del>21</del>	<del>39.5</del>	<del>1 2/3</del>
<del>Small</del>	<del>18</del>	<del>34.0</del>	<del>Less than 1 5/12</del>
<del>Peewee</del>	<del>15</del>	<del>28</del>	<del>No minimum</del>

~~[St. Quarantine Officer, No. 83.01, eff. 3-1-58; A 4-1-72] (NAC A 9-7-82; 11-7-84; R052-00, 11-15-2000)~~

**NAC 583.171 is hereby repealed:**

~~— NAC 583.171 Summary of grades for shell eggs. (NRS 583.130)~~

~~— 1. Except as otherwise provided in this section, the grades of shell eggs must be determined at destination in accordance with the following schedule:~~

<del>Grade of Lot</del>	<del>Required Quality</del>	<del>Tolerance Permitted Percent</del>	<del>Quality</del>
<del>AA</del>	<del>At least 72 percent AA</del>	<del>Of eggs not AA, — at least 10..... — Not more than 18..... — Not more than 7..... — Not more than 1.....</del>	<del>A B Checks Leakers, dirties or losses due to meat or blood spots</del>
<del>A</del>	<del>At least 82 percent A or better</del>	<del>— Not more than 18..... — Not more than 7..... — Not more than 1.....</del>	<del>B Checks Leakers, dirties or losses due to meat or blood spots</del>

B	At least 90 percent B or better	<del>—Not more than 10.....</del> <del>—Not more than 1.....</del>	<del>Checks</del> <del>Leakers, dirties or losses due to meat or blood spots</del>
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~~—2. Not more than 1 percent of the eggs which are B quality in an AA or A quality lot may be so classified because of the presence of air cells which are over three eighths of an inch in depth, meat or blood spots which are, in the aggregate, not more than one eighth of an inch in diameter, or serious defects in the yolks.~~

~~—3. Losses because of meat or blood spots may not exceed 0.3 percent in any lot. Other types of loss are not permitted.~~

~~—4. Nine percent of the eggs in any lot may be checks if the eggs are jumbo size.~~

~~—[St. Quarantine Officer, No. 83.04, eff. 3-1-58; A 4-1-72] —(NAC A 9-7-82)~~

**NAC 583.370 is hereby repealed:**

~~[NAC 583.370 — Inspection service. (NRS 583.535) The Board of Health may employ or approve employment of veterinary inspectors, lay inspectors or contract with private veterinarians or lay inspectors skilled or trained in the inspection of meat and animals to supervise sanitation and perform examinations at approved slaughtering establishments. These assigned representatives are responsible for sanitation in the plant where they are assigned. They shall enforce the provisions of NAC 583.211 to 583.530, inclusive, and affix the required stamps of approval of meat and meat products in the assigned plant.~~

~~— Bd. of Health, Meat, Poultry and Shellfish Reg. No. 4, eff. 7-2-62; A 8-21-62; A and renumbered as 3, 7-8-73]~~

**NAC 583.480 is hereby repealed:**

~~[NAC 583.480 — Bribes. (NRS 583.535)~~

~~— 1. Any person, or any agent or employee of any person, who gives, pays or offers, directly or indirectly, to any inspector, deputy inspector, chief inspector, or any other officer or employee of this State authorized to perform any of the duties prescribed by NRS 583.255 to 583.555, inclusive, or by the regulations of the Board of Health, any money or other thing of value, with an intent to influence the inspector, deputy inspector, chief inspector, or other officer or employee of this State in the discharge of any duty, is subject to prosecution for bribery.~~

~~— 2. Any inspector, deputy inspector, chief inspector or other officer or employee of this State authorized to perform any of the duties prescribed by NAC 583.211 to 583.530, inclusive, who accepts any money, gift or other thing of value from any person or the officers, agents or employees of the person, given with an intent to influence his or her official action, or who receives or accepts from any person engaged in intrastate commerce any gift, money or other thing of value given with any purpose or intent, is subject to prosecution for bribery and, upon conviction, will be summarily discharged from office.~~

~~— Bd. of Health, Meat Inspection Reg. Art. II § XIV, eff. 11-4-70; renumbered as § N, 3-5-71]~~