

**PROPOSED REGULATION OF THE  
STATE QUARANTINE OFFICER**

**LCB FILE NO. R003-23I**

**The following document is the initial draft regulation proposed  
by the agency submitted on 03/27/2023**

**Purpose:** To update the regulations pertaining to Animal Industries as follows:

1. To add updated language to Nevada Administrative Code (NAC) regulating meat and poultry processing to meet USDA's requirement that state program regulations are "at least equal to" federal requirements.
2. To add updated language to license and regulate custom processing operations.

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**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 Department of Agriculture, 9 C.F.R. Part **301 and** 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 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must be surrendered to the ~~[Board of Health]~~ **Department of Agriculture** when approved inspection services are withdrawn.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 Form of stamps.** (NRS 439.200) The approved stamp authorized by NAC 583.020 must be the stamp of the Meat **and Poultry** Inspection Division of the Department of Agriculture indicating that the meat, **poultry** or meat **or poultry** product has been processed, inspected and is in full compliance with Regulations Governing Meat Inspection of the 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 Game and uninspected products.** (NRS 439.200) Game and similar uninspected products are not to be stored before processing or processed with inspected meat **or poultry** 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 583.050 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 583.060 Sale and display of shellfish. (NRS 439.200)**

1. Shellfish must be sold and displayed only in its original container.

2. Shellfish for sale, shipment or distribution in Nevada must be certified and have on the container the assigned number authorized by the United States Public Health Service. The number and plant must be on the current approved list of shippers of shellfish of the Public Health Service.

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

**POULTRY**

**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 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 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, 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]

## MEAT AND POULTRY INSPECTION

**NAC 583.211 Definitions.** As used in NAC 583.211 to 583.530, inclusive, unless the context otherwise requires, the words and terms defined in NAC 583.221 to 583.340, inclusive, have the meanings ascribed to them in those sections.

(Supplied in codification)

***NAC 583.216 “Antemortem inspection” defined. “Antemortem inspection” means the inspection of an animal prior to slaughter.***

**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 583.226 “Carcass” defined. “Carcass” means all parts, including viscera, of a slaughtered animal that are capable of being used for human food.***

**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. 232 “Custom processing” defined. “Custom processing” means the slaughtering, skinning and preparing of livestock, game mammals and poultry by humane means for the person’s own consumption, which is to include the consumption by immediate family members and non-paying guests.***

***NAC 583. 234 “Department” defined. “Department” as defined in NRS 583.005***

*NAC 583.236 “Equipment” defined. “Equipment” has the meaning prescribed to it as in NAC 446.01287*

**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 “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 “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 “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 583.274 “Hazard” defined. “Hazard” has the meaning prescribed to it as in NAC 446.01461.*

*NAC 583.278 “Inedible” defined. “Inedible” means adulterated, uninspected, or not intended for use as human food.*

**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 “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 583.292 “Mobile custom processing” defined. “Mobile custom processing” means custom processing services provided at the owner’s or person’s farm or other facility or at a location approved by the Officer using a mobile processing unit.*

*NAC 583.294 “Mobile processing unit” defined. “Mobile processing unit” has the meaning prescribed to it as in NRS 583.357.*

**NAC 583.300 “Officer” defined.** (NRS 583.535) “Officer” ~~[means the State Health Officer]~~ *has the meaning prescribed to it as in NRS 583.365.*

[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 “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 “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 583.326 “Postmortem inspection” defined. “Postmortem inspection” the inspection of an animal’s carcass after slaughter.*



**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 “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 583.345 “Specified risk material” defined. “Specified risk material” means the tissues in cattle that are considered to be of high risk for prion contamination. Abbreviated as SRM.***

**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 poultry*** and the preparation of carcasses, parts of carcasses, meat ~~[and]~~, meat food products, ***poultry and poultry 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 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 583.370 Inspection service.** (NRS 583.535) The ~~[Board of Health]~~ ***Department of Agriculture*** 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. 372 Requirements***

#### ***1. The Department shall require:***

- a. antemortem and postmortem inspections, quarantine, segregation and reinspection regarding animals to be slaughtered and the preparation of meat and poultry products for intrastate commerce by an appointed inspector;***
- b. that labels and containers used for meat and poultry products bear all required information and has been approved before product is offered for transportation or sale;***
- c. that meat and poultry products or other materials, which were not prepared under the requirements of this chapter, be prohibited or limited from entry into a state inspected establishment.***
- d. that establishments which are licensed or permitted and inspected under this program are kept in a clean and sanitary condition during all periods of operation.***
  - i. The Department shall prescribe sanitary standards and require sanitary inspection of all establishments.***
  - ii. The Department may refuse to provide inspection if the sanitary conditions of an establishment permit for the adulteration of any product.***
- e. That the following classes of persons, firms, and corporations shall keep accurate records which disclose all business transactions and allow for the inspection of the business, facilities, records, and to take reasonable samples of their inventory upon payment of the fair market value:***
  - i. slaughters animals;***
  - ii. prepares, freezes, packages, or labels any meat or poultry parts of products for use as human food or animal food;***
  - iii. engages in the business of buying or selling (as a broker or wholesaler or otherwise), or transporting in intrastate commerce, or storing in or for intrastate commerce, or importing parts or products of carcasses of any such animals;***
  - iv. engage in business, in or for commerce, as renderers, or engage in the business of buying, selling, or transporting, in commerce any dead, dying, disabled, or diseased cattle, sheep, swine, goats, horses, mules, or other equines, poultry or parts of the carcasses of any such animals that died otherwise than by slaughter.***

### ***NAC 583. 374 Application for state inspection***

*An applicant who wishes to operate a state inspected facility in the state shall obtain the appropriate permit from the Department. Each applicant will be held responsible for compliance with applicable laws if inspection is granted. A person may not operate such facility in the state without a permit issued by the department.*

- 1. Such application for a permit shall be made on a form prescribed by the Department.
  - a. Upon receipt of a proper and signed application, compliance with all applicable rules, payment of a plan review fee as determined by the Department and the payment of an annual permit fee as determined by the Department, the applicant shall be issued a license allowing for the operation of a meat or poultry facility. All licenses shall expire on December 31 of the year which issued.*
  - b. Permits shall be annually renewable on or before December 31<sup>st</sup> of the year which issued upon the payment of an annual license renewal fee as determined by the Department.**
- 2. Application shall include the following:
  - a. Name of the applicant and the applicant's partners, officers, or directors of business – if any.*
  - b. The name of the business, mailing address, telephone number, e-mail.*
  - c. The exact location of the business.**
- 3. If there is a change of ownership or location, a new application must be submitted.*

*NAC 583. 375 Application for custom processing.*

*An applicant who wishes to operate a custom processing establishment or mobile processing unit in the state shall obtain appropriate licensing from the Department. Each applicant will be held responsible for compliance with applicable laws if inspection is granted. A person may not operate such facility in the state without a license issued by the department.*

- 1. Such application for a license shall be made on a form prescribed by the Department.
  - a. Upon receipt of a proper and signed application, compliance with all applicable rules, and the payment of an annual license fee as determined by the Department, the applicant shall be issued a license allowing for the operation of a meat or poultry facility. All licenses shall expire on December 31 of the year which issued.*
  - b. Licenses shall be annually renewable on or before December 31<sup>st</sup> of the year which issued upon the payment of an annual license renewal fee as determined by the Department.**
- 2. Application shall include the following:
  - a. Name of the applicant and the applicant's partners, officers, or directors of business – if any.*
  - b. The name of the business, mailing address, telephone number, e-mail.*
  - c. The exact location of the business if conducted in a stationary building.**
- 3. If there is a change of ownership or location, a new application must be submitted.*
- 4. A custom processing establishment shall be required to submit plans in accordance with the most recent edition of Food Code 8-201 and pay a plan review fee to the Department. Approval must be received from the Department of the following prior to commencement of any work: properly prepared plans and specifications for such*

*construction, remodeling or alteration. Plans shall include, but are not limited to, showing facility layout; arrangement and construction materials of work areas; and the location, size and type of fixed equipment and facilities must be submitted to the Department for approval before such work is begun. Such plans shall be accompanied by a detailed description of the operation of food processing and any other documentation required by the Department. If the facility is rented, leased or borrowed by a person or entity for use, the Department shall be notified 14 days before the facility shall be utilized by the renter, lessee, or person borrowing the facility. The Department shall verify that the renter, lessee or borrower is permitted as an operator.*

**NAC 583. 376 Enforcement Procedures for custom processing.**

**1. License:**

*a. It shall be unlawful for any person to slaughter or assist in slaughtering livestock and poultry as a business outside of a licensed slaughterhouse or mobile processing unit unless the individual holds a valid license issued by the Department.*

*b. Only persons who comply with this chapter will be issued a license.*

**2. Suspension of license - license may be suspended whenever:**

*a. The Department has reason to believe that an eminent public health hazard exists;*

*b. Insanitary conditions are such that carcasses would be rendered adulterated and or contaminated.*

*c. Licensee has interfered with the Department in the performance of its duties;*

*d. Licensee violates the provisions of this chapter.*

*f. Licensee has not made the facility or unit available for inspection upon reasonable request from the Department.*

*g. Licensee has not corrected repeat inspection violations by the date listed through official warning notice.*

*h. Licensee violates Nevada brand inspection rules or regulations.*

**3. The Department may, in accordance with the 9 CFR Part 500, suspend or terminate any exemption with respect to any person whenever the Department finds that such action will aid in effectuating the purposes of the Poultry Products Inspection Act of the United States Department of Agriculture. Failure to comply with the conditions of the exemption, including but not limited to, failure to process poultry and poultry products under clean and sanitary conditions may result in termination of an exemption.**

**4. Warning notice - In instances where a repeat violation may have occurred, a warning notice may be sent to the licensee which specifies the violations and affords the holder a reasonable opportunity to correct them. A re-inspection fee equal to the license fee shall be assessed. If the fee is unpaid within 60 days, the operator's permit will be suspended.**

**5. Hearings - Whenever a licensee has been given notice by the Department that suspected violations may have occurred or when a license is suspended, licensee may have an opportunity for a hearing to state licensee's views before the Department.**

*6. Reinstatement of Suspended License – A licensee whose license has been suspended may make application for the purpose of reinstatement of the license. The Department may re-evaluate the applicant and conditions for demonstration of compliance with the rules and reinstatement fee. Upon successful Department approval, the license may be reinstated.*

*7. Detainment or Embargo - Any meat or poultry found in a food establishment which does not have the proper identification, or any uninspected meat or poultry slaughtered by a licensee which does not meet the requirements of these rules, may be detained or embargoed.*

*8. Condemnation - Meat or poultry which is determined to be unfit for human consumption may be denatured or destroyed as approved by the Department.*

*9. Fines- Any person or entity who operates a custom processing establishment or mobile processing unit without first obtaining the required license as required, shall receive an administrative fine of \$250 for the first offense, \$500 for the second offense and \$1000 for each subsequent offense.*

**NAC 583.377 Information to be furnished; grant or refusal of inspection.**

*1. Upon the determination that the applicant and establishment are eligible for inspection, the Department shall notify the applicant in writing of their eligibility, including the limits of the establishment's premises to which the grant pertains.*

*2. The Department is authorized to grant inspection upon the determination that the applicant and establishment are eligible. If the Department determines that the establishment doesn't meet the requirements or regulations, or that the applicant has not received approval of labeling and containers to be used then the Department shall refuse to grant inspection.*

**NAC 583.378 Conditions for receiving inspection.**

*1. Before being granted inspection, each state establishment must have developed written Standard Operating Procedures and written recall procedures.*

*2. Before being granted inspection, each state establishment must perform a hazard analysis and developed and validated a HACCP plan. A conditional grant of inspection shall be issued for a period not to exceed 90 days, during which the establishment must validate its HACCP plan.*

**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 *and poultry*, of all carcasses and parts thereof, of all meat ~~[and]~~, meat food products, *poultry and poultry food products*, ~~[and]~~ of the sanitary conditions *and the humane handling of animals* ~~[of]~~ *in* all establishments in which the meat ~~[and, meat products]~~ *and poultry products* are prepared.

2. The inspectors shall refuse to stamp, mark, tag or label any carcass or any part thereof, or meat food product *or poultry 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 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 *for use in intrastate commerce* found to be not adulterated.

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

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

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

***NAC 583.392 Records required to be kept.***

- 1. Every establishment that is permitted to slaughter livestock or poultry or prepare, freeze, package, label, buy, sell, transport, or store any meat or poultry products, for use as human food or animal food shall keep accurate records that fully disclose all transactions involved in their business.***
- 2. Any person that engages in the business of buying or selling (as a meat broker, wholesaler, or otherwise), or transporting in intrastate commerce, or storing in or for intrastate commerce, or importing, any carcasses, or parts or products of carcasses, of any such animals;***
- 3. Any person who renders animals or buys, sells, or transports, any dead, dying, disabled, or diseased animals, or parts of their carcasses that died by a method other than slaughter shall keep accurate records that fully disclose all transactions involved in their business.***
- 4. Each person who holds a custom processing license shall be required to keep accurate records which fully disclose all transactions involved in their business, of each animal, livestock or poultry, slaughtered or processed.***
- 5. Each person who engages in custom processing livestock operations shall be required to adhere to the recordkeeping requirements in 9 CFR 303.1(b)(3) and 9 CFR 320.***
- 6. Each person who engages in custom processing poultry operations shall be required to keep such records as are properly necessary for the effective enforcement of the PPIA and all applicable recordkeeping requirements in 9 CFR 381 Subpart Q.***

***NAC 583.394 Place of maintenance of records.***

1. *Records are required to be maintained at the place where such business is conducted, except in the case that the licensee conducts such business at multiple locations, then records may be maintained at their headquarters' office. When records are not in use, they must be kept at a safe place within the premises.*
2. *Records pertaining to ground beef must be kept at the location where the raw beef was ground*

**NAC 583.396 Record retention period.**

1. *Every record required to be maintained must be maintained for such period of time as the Officer may by regulations prescribe.*

**NAC 583.398 Access to records.**

*Representatives of the Department must be afforded access to the places of business and must also be afforded any necessary facilities for the examination and copying of records and for the examination and sampling of inventory.*

**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.]~~ *The Department shall require slaughtering establishments under the state inspection service to have an antemortem inspection of each animal prior to 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 *under state inspection* 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 Department of Agriculture.]~~ *Any animal that is suspected of being affected with any disease or show symptoms of disease shall be set apart and may not be slaughtered until they have been found fit for slaughter by veterinary inspection. Animals showing symptoms of disease must be slaughtered separately from other livestock and poultry.*
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 *United States* 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 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, *and poultry* 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 “*Nevada* Inspected and Passed.”

3. The inspectors shall label, mark, stamp or tag as “*Nevada* 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 583.412 Humane methods of slaughter*

1. *To prevent the inhumane slaughter of animals, inspectors shall be appointed to examine and inspect methods of handling and slaughtering animals.*
2. *The Department shall refuse to provide inspection to a new establishment or shall temporarily suspend inspection if animals have been handled or slaughtered in any way that is not in accordance with the Humane Methods of Slaughter Act of 1978.*
  1. *Poultry must be slaughtered in accordance with good commercial practices.*
  2. *Each person who holds a custom processing license shall be required to comply with the Humane Methods of Slaughter Act (HMSA) for livestock and good commercial practices for poultry.*
  3. *Custom processing poultry slaughter operators are required to slaughter in compliance with the PPIA (21 U.S.C. 458(a)(1)) and 9 CFR 381.65(b).*
  4. *Any person who wishes to slaughter an animal in accordance with recognized religious dietary laws must request, in writing, for exemption from specific provisions before they are to engage in the act of slaughter.*

#### *NAC 583.414 Adulterated or misbranded products.*

*A person shall not, with respect to any animal, parts of carcasses or meat or poultry products:*

1. *Slaughter an animal or prepare for human consumption except in compliance with the provisions of this chapter;*
2. *Sell, transport, offer for sale or transportation or receive for transportation any such articles if they are adulterated or misbranded, unless they have been inspected and passed;*
3. *Subject these articles to any act while they are being transported or held for sale after transportation which is intended to cause or has the effect of causing any article to be adulterated or misbranded.*



**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 poultry* 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, *and poultry* 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 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, *and poultry* are slaughtered and the meat, ~~[and]~~ meat food products, *poultry or poultry 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, *poultry or poultry food products* are rendered adulterated, the Officer shall refuse to allow the meat, ~~[or]~~ meat food products, *poultry or poultry food products* to be labeled, marked, stamped or tagged as "Nevada Inspected and Passed."

*5. Custom processing livestock operations must prepare meat food products in compliance with 9 CFR 303.1(a)(2)(i). Additionally, the sanitation regulations in 9 CFR 416.1 through 9 CFR 416.6, except for 9 CFR 416.2(g)(2) through (6), apply to livestock facilities that conduct custom processing operations.*

*6. Custom processing livestock operations which operate in a Federal or State inspected establishment shall be required to follow all the provisions of 9 CFR 416.*

*7. Custom processing poultry operations must operate under the sanitary standards, practices and procedures per 9 CFR 381.10(a)(4)*

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

**NAC 583.431 Equipment and sanitation of mobile processing units.**

*1. Unit of vehicle and equipment used for mobile custom processing:*

*a. The unit or vehicle used for mobile custom processing shall be so constructed as to permit maintenance in a clean, sanitary manner. Floors, walls and ceilings are to be built of durable materials that are light in color, impervious to moisture and easily cleanable. Openings shall be protected against the entry of dirt, debris, water and insects.*

*b. Mobile processing unit light bulbs must be shielded, coated or otherwise shatter-resistant in areas where there is exposed food, clean equipment, utensils, hand-washing areas, dressing and locker rooms, and toilets. At least 50*

*foot-candles (540 lux) at a surface where an employee is working with food, utensils or equipment, including without limitation, knives, slicers, grinders or saws, where employee safety is a factor.*

- c. A potable water tank shall be required on all mobile processing units or vehicles. Each potable water tank shall be of NDA approved construction with a minimum capacity of 40 gallons for poultry processing units; or 10 gallons per head of livestock processed, depending on the slaughter capacity of the unit. Water systems must be maintained in a sanitary manner and only potable water shall be used. If water used in a potable water tank is not sourced from a municipal water system, an annual water test verifying the water is free from coliforms must be on file with the Department. A pump and hose system shall be affixed to each potable water tank for the washing of carcasses. The pump shall provide a minimum pressure of 60 psi be maintained during all slaughter operations. If hot water is to be used for sanitation, a hot water source capable of heating water to 180 degrees Fahrenheit and having a minimum capacity large enough to fill the sanitation container shall be installed and maintained on the unit.*
- d. Mobile processing units shall be equipped with a wastewater recovery tank that has at least 15% greater capacity than the equipped potable water tank. Wastewater shall be disposed of at a dumping station or location approved by the local health authority. Written approval from the local health authority authorizing disposal of wastewater at the disposal location must be provided to the Department before utilization.*
- e. Mobile processing units must be equipped with a sanitation container large enough to allow complete emersion of tools used for slaughtering. The sanitation container be filled during slaughter operations with potable water and maintained at a temperature of at least 180 degrees Fahrenheit. In lieu of 180 degrees Fahrenheit water, chemical sterilization may be used with an approved chemical agent after equipment has been thoroughly cleaned. Chloramine, hypochlorite, and quaternary ammonium compounds or other approved chemical compounds may be used for this purpose and a concentration must be maintained at sufficient levels to disinfect utensils. Hot water, cleaning agents, and disinfectant shall always be kept available on the processing unit if chemicals are used in lieu of 180 degrees Fahrenheit water. If chemicals are used in lieu of 180 degrees Fahrenheit water sanitization, appropriate sanitizer test strips shall always be available on the unit.*
- f. Cleaning agents and paper towels shall always be available on the unit so hands and equipment may be cleaned as needed.*
- g. All inedible products shall be denatured in accordance with 9 CFR § 325.13*
- h. Aprons, frocks and other outer clothing worn by persons who handle meat must be clean and of material that is easily cleanable.*
- i. Mobile processing unit transporting uninspected meat to an establishment for processing shall:
  - i. Do so in a manner whereby the product will not be adulterated or misbranded, and/or mislabeled; and**

- ii. *Transport the meat in such a way that it is adequately protected from contamination or adulteration;*
  - iii. *Deliver carcasses in such a way that they shall be placed under refrigeration of 40 degrees F or less within 1 hour following slaughter.*
  - iv. *No carcass shall be transported in a mobile processing unit unless it is hung free from contact with the unit floor and does not contact any other carcasses. Carcasses shall be tagged as prescribed in this chapter.*
- j. *No carcass, other than a scalded and dehaired swine carcass, shall be dressed or transported in a mobile processing unit with the hide on.*
- k. *Equipment and utensils used for handling edible product or ingredients must be of such material and construction to facilitate thorough cleaning and to ensure that their use will not cause the adulteration of product during processing, handling, or storage. Equipment and utensils must be maintained in sanitary condition so as not to adulterate product.*
- l. *All direct product contact surfaces shall be smooth and maintained free of pits, cracks, crevices, scale and rust, and must be corrosion and abrasion resistant, non-absorbent, shatterproof, nontoxic, and not capable of migrating into food products.*
- m. *Equipment shall be designed and installed in such a way that foreign materials, such as lubricants, heat exchanger media, condensate, cleaning solutions, sanitizers, and other nonfood materials, do not contaminate food products.*
- n. *Equipment is self-draining or designed to be evacuated of water.*
- o. *Clean-in-place equipment shall have sanitation procedures that are as complete and effective as those for cleaning and sanitizing disassembled equipment.*
- p. *Equipment and utensils must not be constructed, located, or operated in a manner that prevents employees from inspecting the equipment or utensils to determine whether they are in sanitary condition.*
- q. *If slaughtering livestock, a mobile processing unit shall have affixed a metal hoist of not less than 1.5 tons capacity, capable of lifting carcasses a minimum of 12 inches above the ground for purposes of bleeding and evisceration. The hoist shall be situated so that carcasses suspended will not contact the truck or trailer body and shall be equipped with a metal beef spreader.*
- r. *No slaughter of a meat animal in a mobile processing unit while other carcasses are hanging therein shall be performed, unless the unit doors are closed or the area in which the carcasses are situated is separated by physical barrier from the area used for the slaughter operation.*

## **2. Sanitation.**

### **a. Unit or Vehicle.**

- i. *The unit or vehicle must be thoroughly cleaned between each slaughter site, or daily, whichever occurs first.*
- ii. *All food-contact and non-food contact surfaces of utensils and equipment must be cleaned and sanitized as necessary to prevent the creation of insanitary conditions and the adulteration of carcasses and parts.*

- iii. *Carcasses must be protected from adulteration during processing, handling, storage, loading, unloading and during transportation to processing establishments.*
- b. *Equipment.*
  - i. *All knives, scabbards, saws, equipment and all other food contact surfaces shall be cleaned, rinsed and sanitized prior to and after each slaughter.*
  - ii. *Surfaces of utensils and equipment contacting potentially hazardous food may be cleaned less frequently than every 4 hours if:*
    - 1. *Utensils and equipment are used in a refrigerated room or area that is maintained at one of the temperatures set forth in subparagraph (i) and:*
    - 2. *The cleaning frequency based on the ambient temperature of the refrigerated room or area is documented in the SOP's.*
    - 3. *The utensils and equipment are cleaned at the frequency in the following chart that corresponds to the temperature:*

<i>Temperature</i>	<i>Cleaning Frequency</i>
<i>41°F (5.0°C) or below</i>	<i>24 hours</i>
<i>&gt;42°F - 45°F (5.0°C - 7.2°C)</i>	<i>20 hours</i>
<i>&gt;46°F - 50°F (7.2°C - 10°C)</i>	<i>16 hours</i>
<i>&gt;51°F - 55°F (10°C - 12.8°C)</i>	<i>10 hours</i>

- 3. *Inedible articles.*
  - a. *Inedible articles shall be placed in designated containers and must be clearly marked "Inedible Not for Human Consumption" in letters not less than 4 inches in height.*
  - b. *Containers for inedible articles shall be kept clean and adequately separated from edible carcasses to prevent adulteration.*
- 4. *Personal Cleanliness.*
  - a. *Care shall be taken to prevent contamination of carcasses from fecal material, ingesta, milk, perspiration, hair, cosmetics, medications and similar substances.*
  - b. *Outer clothing worn by permittee shall, while handling exposed carcasses, be clean.*
  - c. *Eating and drinking shall not take place in processing area.*
  - d. *Tobacco use, e-cigarettes and vaping are prohibited within slaughter and processing areas.*
  - e. *No permittee with a communicable disease or who is a disease carrier or is infected with boils, infected wounds, sores or an acute respiratory infection shall participate in livestock slaughtering.*
  - f. *Hand wash facilities shall be used as needed to maintain good personal hygiene.*
- 5. *Grounds*
  - a. *The grounds immediately surrounding the mobile processing unit operational site are to be maintained to prevent creation of insanitary conditions that could*

*lead to adulteration of product. Blood and any other waste products from the slaughter process must be contained to not contaminate any water sources or running off on to adjacent property.*

**6. Toilets and Handwashing Facilities**

*a. Toilet and handwashing facilities shall be available at all mobile processing unit operational sites pursuant to 9 CFR 416.2.*

**7. Storage of non-Meat products**

*a. Packaging materials and ingredients shall be stored in a sanitary environment to eliminate or reduce conditions that may lead to contamination of product.*

*b. Adequate storage facilities are required for all non-meat storage items including spices, paper products, utensils, etc.*

*c. All items must be properly labeled and protected from contamination and shall not be stored on the floor.*

**NAC 583.432 Tagging of insanitary equipment.**

*When a program employee finds that any equipment, utensil, room, or compartment at any establishment is insanitary or that its use could cause the adulteration of product, they will attach to it a “Nevada Rejected” tag. Equipment, utensils, rooms, or compartments so tagged cannot be used until made acceptable. Only a program employee may remove a “Nevada Rejected” tag.*

**NAC 583.434 Marking and labeling of meat and poultry products.**

*Carcasses, parts of carcasses or meat and poultry products may not be sold, transported, offered for sale or transportation or received for transportation, unless they are appropriately marked, labeled or identified as required by the Department to show from what they were derived.*

**NAC 583.436 Tagging of custom processing products.**

*Each person who holds a custom processing license must tag each animal presented for slaughter and the carcass of said animals with a Not For Sale tag as required by 9 CFR 316.16. Custom processing products must be kept separate from any products produced under inspection.*

**NAC 583.438 Marking and labeling of exempt poultry products.**

*The shipping containers of such poultry products must bear the owner’s name and address and the statement “Exempt P.L. 90-492”.*

**NAC 583.440 Labeling and marking. (NRS 583.535)**

1. When any meat, ~~or~~ meat food product, *poultry or poultry 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, [✗] meat food products, *poultry or poultry 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, [✗] meat food products, *poultry or poultry 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, [✗] meat food products, *poultry or poultry 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 [✗], under the Federal Meat Inspection Act *or under the Poultry Products 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.

***7. Custom processing products must be labeled “not for sale”.***

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

**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, *and poultry* or the meat, ~~[or]~~ meat products, *poultry or poultry 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 *or poultry* 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, *poultry and poultry 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 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, *firm, or corporation* 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 583.462. Products not intended for human food***

***Carcasses, parts of carcasses or meat and poultry products not intended for use as human food may be bought, sold, transported, offered for sale or transportation or received for transportation only after they have been denatured. This does not apply to parts of said carcasses that are naturally inedible.***

***NAC 583.464. Transactions concerning dead, dying, disabled, or diseased animals***  
***A person who engages in the business of buying, selling, or transporting dead, dying, disabled or diseased animals, or any parts of any animal that died otherwise than by slaughter shall not buy, sell, transport, offer for sale or transportation or receive for transportation unless these transactions are made in accordance with rules adopted by the Department.***

***NAC 583.466. Disposal of inedible materials***  
***Inedible materials, including specified risk materials (SRMs), resulting from custom processing must be disposed of in accordance with 9 CFR 303.1(b)(4), 325.11(a), and 381.193(a).***

**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, ~~[oF]~~ meat food products, ***poultry or poultry 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 583.480 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]

***NAC 583.482 Penalties for interference with official duties; Acceptance of bribes***  
***The penalties for bribing an officer or employee, the acceptance of bribes by an officer or employee or the interference with any person engaged in the performance of official duties shall be as prescribed in NRS 197.***

***NAC 583.484 Civil Penalties***

1. ***Any person violating any provisions of this chapter is subject to a civil penalty in accordance with NRS 583.700***

**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 [and], other equines, *poultry* or any dead, dying, disabled or diseased cattle, sheep, swine, goat [or], equine *or poultry*, 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, *the Poultry Products 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 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 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.~~ **1.** 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.~~ **2.** 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~~ **661** of the Federal Meat Inspection Act. The Officer shall serve as consultant with the Secretary under ~~paragraph (c) of~~ Section ~~301~~ **661** 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 Adoption of federal regulations.** (NRS 583.535)

~~1. 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~~ **Department of Agriculture adopts by reference:**

**(a) 9 C.F.R parts 300-500, excluding parts 302.2, 303.1(c), 304.2(c), 307.4(b)-(d), 307.5, 307.6, 308, 316.13(c), 317.7, 318.8, 322, 327, 329.9, 331, 332, 335, 351, 381.38, 381.39, 381.104 through 381.107, 381.195 through 381.209, 381.218 through 381.225, and 390 through 392.**

**(b) the Federal Meat Inspection Act, 21 U. S.C. Sec 601-676, excluding parts 602, 609, 614 through 620, 624, 625, 645, 661, and 674;**

**(c) the Poultry Products Inspection Act, 21 U.S.C. Sec. 453-467b, excluding 454, 463, and 466;**

**(d) the Humane Slaughter Act, 7 U.S.C. Sec. 1901 et seq.**

*However, unless context otherwise dictates, references to "We" "the Food Safety and Inspection Service", and the "United States Department of Agriculture" or "Department", and all words or terms defined or used in the adopted federal regulations shall mean the state equivalent or counterpart to those words or terms. Whenever an official mark, form, certificate or seal is designated or required by federal law or regulation, the appropriate Nevada Department of Agriculture mark, form, certificate or seal shall be substituted.*

**2. Changes to the federal laws, regulations, and standards referenced in Subsection (1) are considered incorporated as those changes are made.**

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

**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, *poultry and poultry 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, *poultry and poultry 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, *poultry and poultry 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.
5. *In addition to the exemptions listed, the exemptions in section 623 of the Federal Meat Inspection Act and section 464 of the Poultry Products Inspection Act also apply. Sections on territorial exemptions do not apply.*

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