

*****DRAFT - NOT FOR FILING*****

THE FOLLOWING RULES ARE PROPOSED TO BE RESCINDED

901:2-6-01 Limitations.

The rules in this chapter apply exclusively when meat processing establishments are processing meat for interstate production.

901:2-6-02 Uniform state meat inspection service - interstate production.

The 2011 federal meat inspection regulations (9 C.F.R. 300 to 500) of the United States department of agriculture adopted pursuant to the Federal Meat Inspection Act (34 Stat. 1260) as amended by the Wholesome Meat Act (81 Stat. 584, 21 U.S.C. Supp., Section 601) and appended to this rule are adopted in their entirety with the exception of those provisions amended or deleted by rules Chapters 901:2-1 and 901:2-6 of the Administrative Code.

901:2-6-03 Amended definitions.

9 C.F.R. parts 300 and 301 – definitions are modified as follows:

(A) 9 C.F.R. part 300.1 delete existing language and insert:

“This part describes the duties and organization of the Division of Meat Inspection, an agency of the Ohio Department of Agriculture. It also includes rules on the access of government employees to regulated places of business.”

(B) 9 C.F.R. part 300.2 (a) delete existing language and insert:

“the Director of Agriculture has delegated to the Chief of the Division of Meat Inspection, the responsibility for exercising the functions of the Director of Agriculture under various statutes.”

(C) 9 C.F.R. part 300.3 (a) delete existing language and insert:

“The organization of the division of meat inspection reflects the agency’s primary regulatory responsibilities: implementation of the Federal Meat Inspection Act (FMIA) and the Poultry Products Inspection Act (PPIA) as adopted by reference, amended and modified. The division of meat inspection implements the inspection provisions of the FMIA and PPIA through its field structure.”

(D) 9 C.F.R. part 300.3 (b) delete existing language and insert:

“The central office is composed of a division chief, assistant chief, two agriculture managers, an administrative assistant and a secretary. The assistant chief supervises the regional veterinarians. There are program offices located in eight districts. Supervised at the direction of agriculture managers are meat inspection supervisors. Each district has a team of meat inspectors that perform inspection activities in licensed establishments to which they are assigned. These meat and poultry inspectors report to both the regional veterinarians and the meat inspection supervisors.”

(E) 9 C.F.R. part 300.4 – Administrator. Delete existing language and insert:

“Administrator means the administrator of the Ohio Department of Agriculture or any other officer or employee of the Department to whom authority has been or may be in the future be delegated to act in his or her stead.”

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(F) 9 C.F.R. part 300.4 – Circuit supervisor. Delete existing language and insert:

“District Supervisor means the official of the Inspection Service who is assigned responsibility for supervising the conduct of inspection at a specific group of official establishments.”

(G) 9 C.F.R. part 301: section 301.2. Delete existing language and insert:

“(a) ‘The act’ means the Federal meat inspection act, as amended, (34 Stat. 1260, as amended, 81 Stat. 584, 84 Stat. 438, 92 Stat. 1069, 21 Stat. U.S.C., Sec. 601 et seq.), sections 918.01 to 918.99 of the Revised Code, and Chapter 901:2-6 of the Administrative Code.”

901:2-6-04 Deleted regulations.

The following sections of the 2011 federal regulations governing the inspection of meat and meat products (9 C.F.R. Part 300.4 to 500,) of the United States department of agriculture are deleted in their entirety and shall not become rules of the Ohio department of agriculture for selected establishments permitted to distribute product in interstate commerce:

(A) 9 C.F.R. 300.2 (b)(3), (5) and (7);

(B) 9 C.F.R. Part 312:

Section 312.3;

(C) 9 C.F.R. Part 316:

Section 316.12;

(D) 9 C.F.R. Part 317:

Section 317.9;

(E) 9 C.F.R. Part 327;

(F) 9 C.F.R. Part 331;

(G) 9 C.F.R. Part 350;

(H) 9 C.F.R. Part 351;

(I) 9 C.F.R. Part 355;

(J) 9 C.F.R. Part 362.2 (c);

(K) 9 C.F.R. Part 391; and,

(L) 9 C.F.R. 439.

(M) The following sections are deleted for the purposes of interstate meat inspections under this chapter, but remain in effect as specified for intrastate inspections in Chapter 901:2-1 of the Administrative Code:

(1) 9 C.F.R. 303;

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(2) 9 C.F.R. 352; and,

(3) 9 C.F.R. 354