

§ 75-35-1. Short title.

Mississippi Statutes

Title 75. Regulation of Trade, Commerce and Investments

Chapter 35. Meat Inspection

Article 1. Inspection Requirements; Adulteration and Misbranding

Current through 4/19/2019

§ 75-35-1. Short title

This chapter shall be designated as the "Mississippi Meat Inspection Law of 1968."

Cite as Miss. Code § 75-35-1

Source: Codes, 1942, § 4575-185, Laws, 1968, ch. 245, § 33, eff. 7/1/1968.

§ 75-35-3. Definitions.

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§ 75-35-3. Definitions

As used in this chapter, except as otherwise specified, the following terms shall have the meanings stated below:

- (a) The term "commissioner" means the "commissioner of agriculture and commerce of the State of Mississippi", or his duly authorized deputies.
- (b) The term "firm" means any partnership, association, or other unincorporated business

organization.

- (c) The term "meat broker" means any person, firm, or corporation engaged in the business of buying or selling carcasses, parts of carcasses, meat, or meat food products of cattle, sheep, swine, goats, horses, mules, or other equines on commission, or otherwise negotiating purchases or sales of such item or products other than for his own account or as an employee of another person, firm, or corporation.
- (d) The term "renderer" means any person, firm, or corporation engaged in the business of rendering carcasses, or parts or products of the carcasses, of cattle, sheep, swine, goats, horses, mules, or other equines, except rendering conducted under inspection under this article.
- (e) The term "animal food manufacturer" means any person, firm, or corporation engaged in the business of manufacturing or processing animal food derived wholly or in part from carcasses or parts or products of the carcasses, of cattle, sheep, swine, goats, horses, mules, or other equines.
- (f) The term "unfit for human food" means as defined in the "Meat, Meat-Food and Poultry Regulation and Inspection Law of 1960", appearing in subsection (c) of Section 75-33-3, Mississippi Code of 1972.
- (g) The term "meat food product" means any product capable of use as human food which is made wholly or in part from any meat or other portion of the carcass of any cattle, sheep, swine, or goats, excepting products which contain meat or other portions of such carcasses only in a relatively small proportion or historically have not been considered by consumers as products of the meat food industry, and which are exempted from definition as a meat food product by the commissioner under such conditions as he may prescribe to assure that the meat or other portions of such carcasses contained in such product are not adulterated and that such products are not represented as meat food products. This term as applied to food products of equines shall have a meaning comparable to that provided in this paragraph with respect to cattle, sheep, swine, and goats.
- (h) The term "capable of use as human food" shall apply to any carcass, or part or product of a carcass, of any animal, unless it is denatured or otherwise identified as required by regulations prescribed by the commissioner to deter its use as human food, or it is naturally inedible by humans.
- (i) The term "prepare" means slaughtered, canned, salted, rendered, boned, cut up, or otherwise manufactured or processed.
- (j) The term "adulterated" shall apply to any carcass, part thereof, meat or meat food product under one or more of the following circumstances:
 - (1) if it bears or contains any poisonous or deleterious substance which may render it injurious to health; but in case the substance is not an added substance, such

article shall not be considered adulterated under this clause if the quantity of such substance in or on such item or product does not ordinarily render it injurious to health;

- (2)
 - (A) if it bears or contains (by reason of administration of any substance to the live animal or otherwise) any added poisonous or added deleterious substance (other than one which is (i) a pesticide chemical in or on a raw agricultural commodity; (ii) a food additive; or (iii) a color additive) which may, in the judgment of the commissioner, make such item or product unfit for human food;
 - (B) if it is, in whole or in part, a raw agricultural commodity and such commodity bears or contains a pesticide chemical which is unsafe within the meaning of Section 408 of the Federal Food, Drug, and Cosmetic Act, as amended;
 - (C) if it bears or contains any food additive which is unsafe within the meaning of Section 409 of the Federal Food, Drug, and Cosmetic Act, as amended;
 - (D) if it bears or contains any color additive which is unsafe within the meaning of Section 706 of the Federal Food, Drug, and Cosmetic Act: provided, that an article which is not adulterated under clause (B), (C), or (D) shall nevertheless be deemed adulterated if use of the pesticide chemical, food additive, or color additive in or on such item or product is prohibited by regulations of the commissioner in establishments at which inspection is maintained under this article;
- (3) if it 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;
- (4) if it has been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health;
- (5) if it is, in whole or in part, the product of an animal which has died otherwise than by slaughter; or which was diseased or was in a dying condition at the time of slaughter;
- (6) if its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health;
- (7) if it 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;

- (8) if any valuable constituent has been in whole or in part omitted or abstracted therefrom; or if any substance has been substituted, wholly or in part therefor; or if damage or inferiority has been concealed in any manner; or if any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality or strength, or make it appear better or of greater value than it is; or
 - (9) if it is margarine containing animal fat and any of the raw material used therein consisted in whole or in part of any filthy, putrid, or decomposed substance.
- (k) The term "misbranded" shall apply to any carcass, part thereof, meat or meat food product under one or more of the following circumstances:
- (1) if its labeling is false or misleading in any particular;
 - (2) if it is offered for sale under the name of another food;
 - (3) if it is an imitation of another food, unless its label bears, in type of uniform size and prominence, the word "imitation" and immediately thereafter, the name of the food imitated;
 - (4) if its container is so made, formed, or filled as to be misleading;
 - (5) if in a package or other container unless it bears a label showing (A) the name and place of business of the manufacturer, packer, or distributor; and (B) an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count; provided, that under clause (B) of this subparagraph (5), reasonable variations may be permitted, and exemptions as to small packages may be established, by regulations prescribed by the commissioner.
 - (6) if any word, statement, or other information required by or under authority of this chapter to appear on the label or other labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices, in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use;
 - (7) if it purports to be or is represented as a food for which a definition standard of identity or composition has been prescribed by regulations of the commissioner under Section 75-35-15 unless (A) it conforms to such definition and standard, and (B) its label bears the name of the food specified in the definition and standard and, insofar as may be required by such regulations, the common names of optional ingredients (other than spices, flavoring, and coloring) present in such food;
 - (8) if it purports to be or is represented as a food for which a standard or standards of

fill of container have been prescribed by regulations of the commissioner under Section 75-35-15, and it falls below the standard of fill of container applicable thereto, unless its label bears, in such manner and form as such regulations specify, a statement that it falls below such standard;

- (9) if it is not subject to the provisions of subparagraph (7), unless its label bears (A) the common or usual name of the food, if any there be, and (B) in case it is fabricated from two or more ingredients, the common or usual name of each such ingredient; except that spices, flavorings, and colorings may, when authorized by the commissioner, be designated as spices, flavorings, and colorings without naming each: provided, that to the extent that compliance with the requirements of clause (B) of this subparagraph (9) is impracticable, or results in deception or unfair competition, exemptions shall be established by regulations promulgated by the commissioner;
 - (10) if it purports to be or is represented for special dietary uses, unless its label bears such information concerning its vitamin, mineral, and other dietary properties as the commissioner, after consultation with the secretary of agriculture of the United States, determines to be, and by regulations prescribes as, necessary in order fully to inform purchasers as to its value for such uses;
 - (11) if it bears or contains any artificial flavoring, artificial coloring, or chemical preservative, unless it bears labeling stating that fact: provided, that, to the extent that compliance with the requirements of this subparagraph (11) is impracticable, exemptions shall be established by regulations promulgated by the commissioner; or
 - (12) if it fails to bear, directly thereon or on its container, as the commissioner may by regulations prescribe, the inspection legend and, unrestricted by any of the foregoing, such other information as the commissioner may require in such regulations to assure that it will not have false or misleading labeling and that the public will be informed of the manner of handling required to maintain the item or product in a wholesome condition.
- (l) The term "label" means a display of written, printed, or graphic matter upon the immediate container (not including package liners) of any item or product.
 - (m) The term "labeling" means all labels and other written, printed, or graphic matter (1) upon any item or product or any of its containers or wrappers, or (2) accompanying such item or product.
 - (n) The term "Federal Meat Inspection Act" means the act so entitled approved March 4, 1907 (34 Stat 1260), as amended by the Wholesome Meat Act (8 Stat 584).
 - (o) The term "Federal Food, Drug, and Cosmetic Act" means the act so entitled, approved

June 25, 1938 (52 Stat 1040), and acts amendatory thereof or supplementary thereto.

- (p) The term "pesticide chemical", "food additive", "color additive", and "raw agricultural commodity" shall have the same meanings for purposes of this chapter as under the Federal Food, Drug, and Cosmetic Act.
- (q) The term "official mark" means the official inspection legend or any other symbol prescribed by regulations of the commissioner to identify the status of any product or animal under this chapter.
- (r) The term "official inspection legend" means any symbol prescribed by regulations of the commissioner showing that an item or product was inspected and passed in accordance with this chapter.
- (s) The term "official certificate" means any certificate prescribed by regulations of the commissioner for issuance by an inspector or other person performing official functions under this chapter.
- (t) The term "official device" means any device prescribed or authorized by the commissioner for use in applying any official mark.

Cite as Miss. Code § 75-35-3

Source: Codes, 1942, § 4575-151; Laws, 1968, ch. 245, § 1, eff. 7/1/1968.

§ 75-35-5. Legislative finding.

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§ 75-35-5. Legislative finding

Meat and meat food products are an important source of the nation's total supply of food. It is essential in the public interest that the health and welfare of consumers be protected by assuring

that meat and meat food products distributed to them are wholesome, not adulterated, and properly marked, labeled, and packaged. Unwholesome, adulterated, or misbranded meat or meat food products are injurious to the public welfare, destroy markets for wholesome, not adulterated, and properly labeled and packaged meat and meat food products, and result in sundry losses to livestock producers and processors of meat and meat food products, as well as injury to consumers. The unwholesome, adulterated, mislabeled, or deceptively packaged products can be sold at lower prices and compete unfairly with the wholesome, not adulterated, and properly labeled and packaged products, to the detriment of consumers and the public generally. It is hereby found that regulation by the commissioner and cooperation by this state and the United States as contemplated by this chapter are appropriate to protect the health and welfare of consumers and otherwise effectuate the purposes of this chapter.

Cite as Miss. Code § 75-35-5

Source: Codes, 1942, § 4575-152; Laws, 1968, ch. 245, § 2, eff. 7/1/1968.

§ 75-35-7. Inspection of cattle and other equine prior to entry into slaughtering establishments; separation and slaughtering of diseased animals; commissioner authorized to examine and inspect for methods of slaughtering and to provide for suspension of inspection services where animals slaughtered in inhumane manner.

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§ 75-35-7. Inspection of cattle and other equine prior to entry into slaughtering establishments; separation and slaughtering of diseased animals; commissioner authorized to examine and inspect for methods of slaughtering and to provide for suspension of inspection services where animals slaughtered in inhumane manner

- (a) For the purpose of preventing the use in intrastate commerce, as hereinafter provided, of meat and meat food products which are adulterated, the commissioner shall cause to be made, by inspectors appointed for that purpose, an examination and inspection of all cattle, sheep, swine, goats, horses, mules, and other equine before they shall be allowed to enter into any slaughtering, packing, meat canning, rendering, or similar establishment

in this state in which slaughtering and preparation of meat and meat food products of such animals are conducted; and all cattle, sheep, swine, goats, horses, mules, and other equine found on such inspection to show symptoms of disease shall be set apart and slaughtered separately from all other cattle, sheep, swine, goats, horses, mules, or other equine, and when so slaughtered, the carcasses of said cattle, sheep, swine, goats, horses, mules, or other equine shall be subject to a careful examination and inspection, all as provided by the rules and regulations to be prescribed by the commissioner as herein provided for.

- (b) For the purpose of preventing the inhumane slaughtering of livestock, the commissioner shall cause to be made, by inspectors appointed for that purpose, an examination and inspection of the method by which cattle, sheep, swine, ratites, nontraditional livestock, rabbits, goats, horses, mules and other equine are slaughtered and handled in connection with slaughter in the slaughtering establishments inspected under this article. The commissioner may refuse to provide inspection to a new slaughtering establishment or may cause inspection to be suspended temporarily at a slaughtering establishment if the commissioner finds that any cattle, sheep, swine, ratites, nontraditional livestock, rabbits, goats, horses, mules or other equine have been slaughtered or handled in connection with slaughter at such establishment by any method not in accordance with Sections 75-35-21(d) and 75-35-8 until the establishment furnishes assurances satisfactory to the commissioner that all slaughtering and handling in connection with slaughter of livestock shall be in accordance with such a method.

Cite as Miss. Code § 75-35-7

Source: Codes, 1942, § 4575-153; Laws, 1968, ch. 245, § 3; Laws, 2006, ch. 345, §2, eff. 7/1/2006.

§ 75-35-8. Humane methods of slaughtering and handling.

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§ 75-35-8. Humane methods of slaughtering and handling

- (1) For purposes of this chapter, the following methods of slaughtering and handling are declared to be humane:
 - (a) In the case of cattle, calves, horses, mules, sheep, swine, ratites, nontraditional livestock, rabbits and other livestock, all animals are to be rendered insensible to pain by a single blow or gunshot or by an electrical, chemical or other means which is rapid and effective before being shackled, hoisted, thrown, cast or cut; or
 - (b) By slaughtering and handling in connection with such slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith that prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument.

- (2) In addition to the methods prescribed in subsection (1) of this section, the commissioner may designate as humane any methods of slaughtering and handling which have been so designated by the United States Secretary of Agriculture on or before April 7, 1981, pursuant to United States Code Section 7-1904. The commissioner is further authorized to designate as humane other methods of slaughtering and handling which have been demonstrated by research, investigation and experimentation to be humane with reference to the speed and scope of slaughtering operations and with reference to other existing methods and then current scientific knowledge.

Cite as Miss. Code § 75-35-8

Source: Laws, 2006, ch. 345, §1, eff. 7/1/2006.

§ 75-35-9. Post-mortem examination and labeling of carcasses; destruction of condemned carcasses; reinspection.

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§ 75-35-9. Post-mortem examination and labeling of carcasses; destruction of condemned carcasses; reinspection

For the purposes hereinbefore set forth, the commissioner shall cause to be made by inspectors appointed for that purpose, as hereinafter provided, a post-mortem examination and inspection of the carcasses and parts thereof 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 in which such products are prepared. The carcasses and parts thereof of all such animals found to be not adulterated shall be marked, stamped, tagged, or labeled, as "Inspected and Passed", or appropriate stamp or markings. Said inspectors shall label, mark, stamp, or tag as "Inspected and Condemned", or appropriate stamp or markings, all carcasses and parts thereof of animals found to be adulterated; and all carcasses and parts thereof thus inspected and condemned shall be destroyed for food purposes by the said establishment in the presence of an inspector. The commissioner may remove inspectors from any such establishment which fails to so destroy any such condemned carcass or part thereof. Said inspectors, after said first inspection shall, when they deem it necessary, reinspect said carcasses or parts thereof to determine whether since the first inspection the same have become adulterated, and if any carcass or any part thereof shall, upon examination and inspection subsequent to the first examination and inspection, be found to be adulterated, it shall be destroyed for food purposes by the said establishment in the presence of an inspector; and the commissioner may remove inspectors from any establishment which fails to so destroy any such condemned carcass or part thereof.

Cite as Miss. Code § 75-35-9

Source: Codes, 1942, § 4575-154; Laws, 1968, ch. 245, § 4, eff. 7/1/1968.

§ 75-35-11. Examination of carcasses brought into slaughtering or similar establishments, and of products issued therefrom or returned thereto; limitation on entry of carcasses or products into inspected establishments.

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§ 75-35-11. Examination of carcasses brought into slaughtering or similar establishments, and of products issued therefrom or returned thereto; limitation on entry of carcasses or products into inspected establishments

The foregoing provisions shall 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 under this article is maintained, and such examination and inspection shall be had before the said carcasses or parts thereof shall be allowed to enter into any department wherein the same are to be treated and prepared for meat food products. The foregoing provisions shall also apply to all such products which, after having been issued from any such slaughtering, meat-canning, salting, packing, rendering, or similar establishment, shall be returned to the same or to any similar establishment where such inspection is maintained. The commissioner may limit the entry of carcasses, part of carcasses, meat and meat food products, and other materials into any establishment at which inspection under this article is maintained, under such conditions as he may prescribe to assure that allowing the entry of such items or products into such inspected establishments will be consistent with the purposes of this chapter.

Cite as Miss. Code § 75-35-11

Source: Codes, 1942, § 4575-155; Laws, 1968, ch. 245, § 5, eff. 7/1/1968.

§ 75-35-13. Inspection of products in slaughtering or similar establishments; access; inspection marks or labels; destruction of condemned products.

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§ 75-35-13. Inspection of products in slaughtering or similar establishments; access; inspection marks or labels; destruction of condemned products

For the purposes hereinbefore set forth, the commissioner shall cause to be made by inspectors appointed for that purpose an examination and inspection of all meat food products prepared in any slaughtering, meat-canning, salting, packing, rendering, or similar establishment, where such products are prepared, and for the purposes of an examination and inspection said inspectors shall have access at all times, by day or night, whether the establishment be operated or not, to every part of said establishment. Said inspectors shall mark, stamp, tag, or label as "Mississippi inspected and passed" or appropriately mark all such products found to be not adulterated; and said inspectors shall label, mark, stamp, or tag as "Mississippi inspected and condemned" or appropriately mark all such products found adulterated. All such condemned meat food products shall be destroyed for food purposes, as hereinbefore provided, and the commissioner may remove inspectors from any establishment which fails to so destroy such condemned meat food products.

Cite as Miss. Code § 75-35-13

Source: Codes, 1942, § 4575-156; Laws, 1968, ch. 245, § 6, eff. 7/1/1968.

§ 75-35-15. Labeling of receptacles or covering of meat or meat food products; labeling requirements generally; standards of identity or fill; false or misleading labels.

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§ 75-35-15. Labeling of receptacles or covering of meat or meat food products; labeling requirements generally; standards of identity or fill; false or misleading labels

- (1) When any meat or meat food product has been inspected as hereinbefore provided and marked "Mississippi inspected and passed" or appropriate marking shall be placed or packed in any can, pot, tin, canvas, or other receptacle or covering in any establishment where inspection under the provisions of this chapter is maintained, the person, firm, or corporation preparing said product shall cause a label to be attached to said can, pot, tin, canvas, or other receptacle or covering, under supervision of an inspector, which label

shall state that the contents thereof have been "Mississippi inspected and passed" or appropriate marking under the provisions of this chapter, and 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 inspection under the provisions of this chapter is maintained shall be deemed to be complete until such meat or meat food products have been sealed or enclosed in said can, tin, pot, canvas, or other receptacle or covering under the supervision of an inspector.

- (2) All carcasses, parts of carcasses, meat and meat food products inspected at any establishment under the authority of this chapter and found to be not adulterated, shall at the time they leave the establishment bear, in distinctly legible form, directly thereon or on their containers, as the commissioner may require, the information required under paragraph (k) of Section 75-35-3.
- (3) The commissioner, whenever he determines such 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 false or misleading labeling of any products or animals subject to this article or Article 3 of this chapter; and
 - (b) Definitions and standards of identity or composition for items subject to this article and standards of fill of container for such products not inconsistent with any such standards established under the Federal Food, Drug, and Cosmetic Act, or under the Federal Meat Inspection Act, and there shall be consultation between the commissioner and the Secretary of Agriculture of the United States prior to the issuance of such standards to avoid inconsistency between such standards and the federal standards.
- (4) No item or product subject to this article shall be sold or offered for sale by any person, firm, or corporation, under any name or other marking or labeling which is false or misleading, or in any container of a misleading form or size, but established trade names and other marking and labeling and containers which are not false or misleading and which are approved by the commissioner, are permitted. A food product that contains cultured animal tissue produced from animal cell cultures outside of the organism from which it is derived shall not be labeled as meat or a meat food product. A plant-based or insect-based food product shall not be labeled as meat or a meat food product.
- (5) If the commissioner 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 item subject to this article is false or misleading in any particular, he may direct that such use be withheld unless the marking, labeling, or container is modified in such manner as he may prescribe so that it will not be false or misleading. If the person, firm, or corporation using or proposing to use the marking, labeling or container does not accept the determination of the commissioner,

such person, firm, or corporation may request a hearing, but the use of the marking, labeling, or container shall, if the commissioner so directs, be withheld pending hearing and final determination by the commissioner. Any party aggrieved by such final determination may, within thirty (30) days after receipt of notice of such final determination, effect an appeal therefrom to the chancery court of the county in which such party resides or in which the principal place of his business is domiciled; and, on appeal, such chancery court shall affirm, modify, or set aside the commissioner's final determination.

Cite as Miss. Code § 75-35-15

Source: Codes, 1942, § 4575-157; Laws, 1968, ch. 245, § 7, eff. 7/1/1968.

History. Amended by Laws, 2019, ch. TBD, SB 2922, §1, eff. 7/1/2019.

§ 75-35-17. Sanitary inspection and regulation of slaughtering or similar establishments; duty of commissioner with respect to adulterated meat or meat food products.

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§ 75-35-17. Sanitary inspection and regulation of slaughtering or similar establishments; duty of commissioner with respect to adulterated meat or meat food products

The commissioner shall cause to be made, by experts in sanitation, or by other competent inspectors, such inspection 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 thereof are prepared as may be necessary to inform himself concerning the sanitary conditions of the same, and to prescribe the rules and regulations of sanitation under which such establishments shall be maintained. Where the sanitary conditions of any such establishment are such that the meat or meat food products are rendered adulterated, he shall refuse to allow said meat or meat food products to be labeled, marked, stamped, or tagged as "Mississippi inspected and passed" or appropriately marked.

Cite as Miss. Code § 75-35-17

Source: Codes, 1942, § 4575-158, Laws, 1968, ch. 245, § 8, eff. 7/1/1968.

§ 75-35-19. Examination of animals and meat products thereof slaughtered or prepared during nighttime.

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§ 75-35-19. Examination of animals and meat products thereof slaughtered or prepared during nighttime

The commissioner shall cause an examination and inspection of all cattle, sheep, swine, goats, horses, mules, and other equines, and the food products thereof, slaughtered and prepared in the establishments hereinbefore described to be made during the nighttime as well as during the daytime when the slaughtering of said cattle, sheep, swine, goats, horses, mules, and other equines, or the preparation of said food products is conducted during the nighttime.

Cite as Miss. Code § 75-35-19

Source: Codes, 1942, § 4575-159, Laws, 1968, ch. 245, § 9, eff. 7/1/1968.

§ 75-35-21. Prohibitions with respect to slaughtering, preparation, sale, transportation, adulteration or misbranding of carcasses or meat food products.

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§ 75-35-21. Prohibitions with respect to slaughtering, preparation, sale, transportation, adulteration or misbranding of carcasses or meat food products

No person, firm, or corporation shall, with respect to any cattle, sheep, swine, goats, horses, mules, or other equine, or any carcasses, parts of carcasses, meat or meat food products of any such animals:

- (a) Slaughter any such animals or prepare any such products which are capable of use as human food, at any establishment preparing such articles, except in compliance with the requirements of this chapter;
- (b) Sell, transport, offer for sale or transportation, or receive for transportation, in intrastate commerce, (i) any such products which (1.) are capable of use as human food, and (2.) are adulterated or misbranded at the time of such sale, transportation, offer for sale or transportation, or receipt for transportation; or (ii) any items required to be inspected under this article unless they have been so inspected and passed;
- (c) Do, with respect to any such items which are capable of use as human food, any act while they are being transported in intrastate commerce or held for sale after such transportation, which is intended to cause or has the effect of causing such items to be adulterated or misbranded;
- (d) Slaughter or handle in connection with such slaughter any such animals in any manner not declared to be humane under Section 75-35-8.

Cite as Miss. Code § 75-35-21

Source: Codes, 1942, § 4575-160, Laws, 1968, ch. 245, § 10; Laws, 2006, ch. 345, §3, eff. 7/1/2006.

§ 75-35-23. Unlawful manufacture, forgery, adulteration or unauthorized use of marks, labels or other identification devices or certificates; false statements or representations.

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§ 75-35-23. Unlawful manufacture, forgery, adulteration or unauthorized use of marks, labels or other identification devices or certificates; false statements or representations

- (1) No brand manufacturer, printer, or other person, firm, or corporation shall cast, print, lithograph, or otherwise make any device containing any official mark or simulation thereof, or any label bearing any such mark or simulation, or any form of official certificate or simulation thereof, except as authorized by the commissioner.
- (2) No person, firm, or corporation shall
 - (a) forge any official device, mark, or certificates;
 - (b) without authorization from the commissioner, use any official device, mark, or certificate, or simulation thereof, or alter, detach, deface, or destroy any official device, mark, or certificate;
 - (c) contrary to the regulations prescribed by the commissioner, fail to use, or to detach, deface, or destroy any official device, mark, or certificate;
 - (d) knowingly possess, without promptly notifying the commissioner, or his representative, any official device or any counterfeit, simulated, forged, or improperly altered official certificate or any device or label or any carcass of any animal, or part or product thereof, bearing 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 commissioner; or
 - (f) knowingly represent that any item or product has been inspected and passed, or exempted, under this chapter when, in fact, it has, respectively, not been so inspected and passed, or exempted.

Cite as Miss. Code § 75-35-23

Source: Codes, 1942, § 4575-161, Laws, 1968, ch. 245, § 11, eff. 7/1/1968.

§ 75-35-25. Labeling and preparation of carcasses of horses and mules.

Mississippi Statutes

Title 75. Regulation of Trade, Commerce and Investments

Chapter 35. Meat Inspection

Article 1. Inspection Requirements; Adulteration and Misbranding

Current through 4/19/2019

§ 75-35-25. Labeling and preparation of carcasses of horses and mules

No person, firm, or corporation shall sell, transport, offer for sale or transportation, or receive for transportation, any carcasses of horses, mules, or other equines or parts of such carcasses, or the meat or meat food products thereof, unless they are plainly and conspicuously marked or labeled or otherwise identified as required by regulations prescribed by the commissioner to show the kinds of animals from which they were derived. When required by the commissioner with respect to establishments at which inspection is maintained under this article, such animals and their carcasses, parts thereof, meat and meat food products shall be prepared in establishments separate from those in which cattle, sheep, swine, or goats are slaughtered or their carcasses, parts thereof, meats or meat food products are prepared.

Cite as Miss. Code § 75-35-25

Source: Codes, 1942, § 4575-162, Laws, 1968, ch. 245, § 12, eff. 7/1/1968.

§ 75-35-27. Appointment and duties of inspectors.

Mississippi Statutes

Title 75. Regulation of Trade, Commerce and Investments

Chapter 35. Meat Inspection

Article 1. Inspection Requirements; Adulteration and Misbranding

Current through 4/19/2019

§ 75-35-27. Appointment and duties of inspectors

The commissioner shall appoint from time to time inspectors to make examination and inspection of all cattle, sheep, swine, goats, horses, mules, and other equines the inspection of which is hereby provided for, and of all carcasses and parts thereof, and of all meats and meat food products thereof, and of the sanitary conditions of all establishments in which such meat and meat food products hereinbefore described are prepared. Said inspectors shall refuse to stamp, mark, tag or label any carcass or any part thereof, or meat food product therefrom, prepared in any establishment hereinbefore mentioned, until the same shall have actually been inspected and found to be not adulterated; and shall perform such other duties as are provided by this chapter and by the rules and regulations to be prescribed by said commissioner. Said commissioner shall, from time to time, make such rules and regulations as are necessary for the efficient execution of the provisions of this chapter, and all inspections and examinations made under this chapter shall be such and made in such manner as described in the rules and regulations prescribed by said commissioner not inconsistent with the provisions of this chapter.

Cite as Miss. Code § 75-35-27

Source: Codes, 1942, § 4575-163, Laws, 1968, ch. 245, § 13, eff. 7/1/1968.

§ 75-35-29. Bribery of inspectors or other officers; acceptance of gifts.

Mississippi Statutes

Title 75. Regulation of Trade, Commerce and Investments

Chapter 35. Meat Inspection

Article 1. Inspection Requirements; Adulteration and Misbranding

Current through 4/19/2019

§ 75-35-29. Bribery of inspectors or other officers; acceptance of gifts

Any person, firm, or corporation, or any agent or employee of any person, firm, or corporation, who shall give, pay, or offer, 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 this chapter or by the rules and regulations of the commissioner, any money or other thing of

value, with intent to influence said inspector, deputy inspector, chief inspector, or other officer or employee of this state in the discharge of any duty herein provided for, shall be deemed guilty of a felony and, upon conviction thereof, shall be punished by a fine not less than Five Thousand Dollars (\$5,000.00), nor more than Ten Thousand Dollars (\$10,000.00) and by imprisonment not less than one (1) year nor more than three (3) years. Any inspector, deputy inspector, chief inspector, or other officer or employee of this state authorized to perform any of the duties prescribed by this chapter who shall accept any money, gift, or other thing of value from any person, firm, or corporation, or officers, agents, or employees thereof, given with intent to influence his official action, or who shall receive or accept from any person, firm, or corporation engaged in intrastate commerce any gift, money, or other thing of value given with any purpose or intent whatsoever, shall be deemed guilty of a felony and shall, upon conviction thereof, be summarily discharged from office and shall be punished by a fine not less than One Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars (\$10,000.00) and by imprisonment not less than one (1) year nor more than three (3) years.

Cite as Miss. Code § 75-35-29

Source: Codes, 1942, § 4575-164, Laws, 1968, ch. 245, § 14; Laws, 2002, ch. 394, §1, eff. 7/1/2002.

§ 75-35-31. Exemptions from inspection requirements; compliance with sanitary regulations; application of adulteration and misbranding provisions to products not required to be inspected.

Mississippi Statutes

Title 75. Regulation of Trade, Commerce and Investments

Chapter 35. Meat Inspection

Article 1. Inspection Requirements; Adulteration and Misbranding

Current through 4/19/2019

§ 75-35-31. Exemptions from inspection requirements; compliance with sanitary regulations; application of adulteration and misbranding provisions to products not required to be inspected

- (1) The provisions of this article requiring inspection of the slaughter of animals and the preparation of the carcasses, parts thereof, meat and meat food products at establishments conducting such operations shall not (a) apply to the slaughtering by any person of animals of his own raising, and the preparation by him and transportation in intrastate commerce of the carcasses, parts thereof, meat and meat food products of such

animals exclusively for use by him and members of his household and his nonpaying guests and employees; nor (b) to the custom slaughter by any person, firm, or corporation of cattle, sheep, swine, or goats, delivered by the owner thereof for such slaughter, and the preparation by such slaughterer and transportation in intrastate commerce of the carcasses, parts thereof, meat and meat food products of such animals, exclusively for use, in the household of such owner, by him, and members of his household and his nonpaying guests and employees: provided, that such custom slaughterer does not engage in the business of buying or selling any carcasses, parts of carcasses, meat or meat food products of any cattle, sheep, swine, goats, or equines, capable of use as human food.

- (2) The provisions of this chapter requiring inspection of the slaughter of animals and the preparation of carcasses, parts thereof, meat and meat food products shall not apply to operations of types traditionally and usually conducted at retail stores and restaurants, when conducted at any retail store or restaurant or similar retail-type establishment for sale in normal retail quantities or service of such items or products to consumers at such establishments.
- (3) The slaughter of animals and preparation of items or products referred to in subsections (1)(b) and (2) of this section shall be conducted in accordance with such sanitary conditions as the commissioner may by regulations prescribe. Violation of any such regulation is prohibited.
- (4) The adulteration and misbranding provisions of this article, other than the requirement of the inspection legend, shall apply to items or products which are not required to be inspected under this section.

Cite as Miss. Code § 75-35-31

Source: Codes, 1942, § 4575-165, Laws, 1968, ch. 245, § 15, eff. 7/1/1968.

§ 75-35-33. Regulations prescribing conditions for storage and handling.

Mississippi Statutes

Title 75. Regulation of Trade, Commerce and Investments

Chapter 35. Meat Inspection

Article 1. Inspection Requirements; Adulteration and Misbranding

Current through 4/19/2019

§ 75-35-33. Regulations prescribing conditions for storage and handling

The commissioner may by regulations prescribe conditions under which carcasses, parts of carcasses, meat, and meat food products of cattle, sheep, swine, goats, horses, mules, or other equines, capable of use as human food, shall be stored or otherwise handled by any person, firm, or corporation engaged in the business of buying, selling, freezing, storing, or transporting, in or for intrastate commerce, such articles, whenever the commissioner deems such action necessary to assure that such items or products will not be adulterated or misbranded when delivered to the consumer. Violation of any such regulation is prohibited.

Cite as Miss. Code § 75-35-33

Source: Codes, 1942, § 4575-166, Laws, 1968, ch. 245, § 16, eff. 7/1/1968.