

§ 539.1 Disposal of diseased or otherwise adulterated fish carcasses and parts or fish products.

(a)(1) Carcasses or parts of fish affected by abscesses or lesions, zoonotic and non-zoonotic parasites such as cestodes, or such parasites as digenean trematodes, metacercaria (*Bolbophorus* spp.), yellow grubs (*Clinostomum* spp.), or white grubs (*Hysteromorpha* spp.) are subject to condemnation unless properly disposed of by the establishment to prevent their use as human food.

(2) Fish affected by Heterophyid intestinal flukes or *Dictophymatidae* nematodes are subject to condemnation unless properly disposed of by the establishment.

(b) Fish affected by diseases, including columnaris (infection by *Flavobacterium columnare*/*Flexibacter columnaris*) and enteric septicemia of fish (ESC), are subject to condemnation unless properly disposed of by the establishment to prevent their use as human food.

(c) Fish carcasses or parts or fish products that are found to be in a state of spoilage or decomposition are subject to condemnation unless properly disposed of by the establishment to prevent their use as human food.

(d) Fish with unusual gross deformities caused by disease or chemical contamination may not be used for human food.

§ 539.2 Physical, chemical, or biological contaminants.

(a) Fish and fish products that are contaminated with physical matter are subject to official retention and condemnation.

(b) Antibiotic or other drug residues in fish tissues must be within applicable tolerances in 21 CFR part 556 or within an applicable import tolerance established under 21 U.S.C. 360b(a)(6).

(c) Pesticide residues in fish tissues must be within applicable tolerances in 40 CFR part 180.

(d) Fish or fish products containing violative concentrations of drugs or other chemicals are subject to condemnation.

PART 540—HANDLING AND DISPOSAL OF CONDEMNED AND OTHER INEDIBLE MATERIALS

Sec.

540.1 Dead fish.

540.2 Specimens for educational, research, and other nonfood purposes; permits.

540.3 Handling and disposal of condemned or other inedible materials.

AUTHORITY: 21 U.S.C. 21 U.S.C. 601–602, 606–622, 624–695; 7 CFR 2.7, 2.18, 2.53.

SOURCE: 80 FR 75616, Dec. 2, 2015, unless otherwise noted.

§ 540.1 Dead fish.

(a) With the exception of dead fish that have died en route to an official establishment that have been received with live fish at the official establishment, and that are subject to sorting and disposal at the official establishment, no fish or part of the carcass of fish that died otherwise than by slaughter may be brought onto the premises of an official establishment without advance permission from the FSIS frontline supervisor.

(b) The official establishment shall maintain physical separation between slaughtered fish and the edible parts or products of slaughtered fish and any fish or parts of fish that have died otherwise than by slaughter. Fish or any parts of fish that have died otherwise than by slaughter shall be excluded from any room or compartment in which edible product is prepared, handled, or stored.

§ 540.2 Specimens for educational, research, and other nonfood purposes; permits.

The requirements of 9 CFR 314.9 apply to the handling and release of specimens of condemned or other inedible fish materials.

§ 540.3 Handling and disposal of condemned or other inedible materials.

Condemned or other inedible fish and fish parts shall be separated from edible fish. If not disposed of on the premises of the establishment, the condemned and inedible fish parts shall be conveyed from the official establishment for disposition at a rendering plant, an animal feed manufacturing

establishment, or at another establishment for other non-food use. If not decharacterized by use of approved denaturants or colorings, the inedible materials shall be enclosed in containers that are conspicuously marked to indicate that the contents are condemned or otherwise inedible. The materials may be shipped under company or official seal to a rendering facility or for other inedible processing.

PART 541—MARKS, MARKING AND LABELING OF PRODUCTS AND CONTAINERS

Sec.

541.1 General.

541.2 Official marks and devices to identify inspected and passed fish and fish products.

541.3 Official seals for transportation of products.

541.4 Official export inspection marks, devices, and certificates.

541.5 Official detention marks and devices.

541.7 Labels required; supervision of a Program employee.

AUTHORITY: 21 U.S.C. 21 U.S.C. 601–602, 606–622, 624–695; 7 CFR 2.7, 2.18, 2.53.

SOURCE: 80 FR 75616, Dec. 2, 2015, unless otherwise noted.

§ 541.1 General.

The marks, devices, and certificates prescribed or referenced in this part are official marks, devices, and certificates for the purposes of the Act respecting fish and fish products. The marks, devices, and certificates shall be used only in accordance with the regulations in this part.

§ 541.2 Official marks and devices to identify inspected and passed fish and fish products.

(a)(1) The official inspection legend required by this part must be shown on all labels for inspected and passed fish and fish products and must be in the following form prescribed in 9 CFR 312.2(b)(1) for inspected and passed products of cattle, sheep, swine, and goats, or in another form to be prescribed by the Administrator, except that it need not be of the size illustrated, if it is of a sufficient size and color to be conspicuously displayed, and readily legible, and in the same proportions of letter size and boldness are maintained as illustrated:



(2) The official inspection legend shall contain the words “U.S. Inspected and Passed” or an abbreviation of those words approved by the Administrator.

(b) This official mark must be applied by mechanical means and must not be applied by a hand stamp.

(c)(1) The official inspection legend, or the approved abbreviation of the legend, must be printed on consumer packages and other immediate con-

tainers of inspected and passed fish products or on labels to be securely affixed to the containers of the products and may be printed or stenciled on the containers but must not be applied by rubber stamping.

(2) The official inspection legend may also be used for the purposes of marking shipping containers, band labels, and other articles with the approval of the Administrator.