

**Document:** Proposed Rule, **Register Page Number:** 25 IR 4187  
**Source:** September 1, 2002, Indiana Register, Volume 25, Number 12  
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**TITLE 345 INDIANA STATE BOARD OF  
ANIMAL HEALTH**

**Proposed Rule**  
LSA Document #02-127

**DIGEST**

Amends 345 IAC 9-2.1-1 to incorporate by reference federal regulations in effect on January 1, 2002 concerning slaughter of livestock and processing of meat and meat products. Amends 345 IAC 10-2.1-1 to incorporate by reference federal regulations in effect on January 1, 2002, concerning the slaughter of poultry and the processing of poultry and poultry products. Effective 30 days after filing with the secretary of state.

**345 IAC 9-2.1-1**  
**345 IAC 10-2.1-1**

SECTION 1. 345 IAC 9-2.1-1 IS AMENDED TO READ AS FOLLOWS:

**345 IAC 9-2.1-1 Incorporation by reference**

**Authority:** IC 15-2.1-3-19; IC 15-2.1-24-6; IC 15-2.1-24-7  
**Affected:** IC 4-21.5-3; IC 15-2.1-19; IC 15-2.1-24

Sec. 1. (a) The board adopts as its rule and incorporates by reference the following federal regulations in effect on January 1, ~~2000~~ **2002**:

- (1) 9 CFR 301, except the definitions in IC 15-2.1 and 345 IAC 9-1-3 shall control over conflicting definitions in 9 CFR.
- (2) 9 CFR 303 through 9 CFR 311, except the following are not incorporated:
  - (A) 9 CFR 303.1(c), 9 CFR 303.1(g), and 9 CFR 303.2.
  - (B) 9 CFR 306.1.
  - (C) 9 CFR 307.4, 9 CFR 307.5, and 9 CFR 307.6.
  - (D) 9 CFR 308.
- (3) 9 CFR 313 through 9 CFR 320, except 9 CFR 317.4 and 9 CFR 317.5.
- (4) 9 CFR 325.
- (5) 9 CFR 416.
- (6) 9 CFR 417.
- (7) 9 CFR 500, except the following:
  - (A) References to the Uniform Rules of Practice, 7 CFR Subtitle A, Part 1, Subpart H shall mean IC 15-2.1-19 and ~~IC 4-21.5-3~~ **IC 4-21.5-3**.
  - (B) References to adulterated or misbranded product shall refer to products adulterated or misbranded as defined in IC 15-2.1-24.

(b) When interpreting this article, including all matters incorporated by reference, the following shall apply:

- (1) A reference to any subpart of 9 CFR 302 refers to the corresponding section of 345 IAC 9-2.
- (2) A reference to:
  - (A) 9 CFR 307.4 shall refer to 345 IAC 9-7-4;
  - (B) 9 CFR 307.5 shall refer to 345 IAC 9-7-6; and
  - (C) 9 CFR 307.6 shall refer to 345 IAC 9-7-6.
- (3) A reference to any subpart of 9 CFR 312 refers to the corresponding section of 345 IAC 9-12.
- (4) A reference to:

- (A) 9 CFR 316.16 shall refer to 345 IAC 9-16-16;
  - (B) 9 CFR 317.4 shall refer to 345 IAC 9-17-4;
  - (C) 9 CFR 317.5 shall refer to 345 IAC 9-17-5; and
  - (D) 9 CFR 317.16 shall refer to 345 IAC 9-17-16.
- (5) A reference to:
- (A) 9 CFR 321.1 shall refer to 345 IAC 9-20; and
  - (B) 9 CFR 321.2 shall refer to 345 IAC 9-20.
- (6) A reference to any subpart of 9 CFR 329 shall refer to the corresponding section in 345 IAC 9-22.

(c) Where the provisions of this article conflict with matters incorporated by reference, the express provisions of this article shall control. (*Indiana State Board of Animal Health; 345 IAC 9-2.1-1; filed Dec 10, 1997, 11:30 a.m.: 21 IR 1301; filed Sep 10, 1999, 9:14 a.m.: 23 IR 14; filed Oct 30, 2000, 2:06 p.m.: 24 IR 678; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895*)

SECTION 2. 345 IAC 10-2.1-1 IS AMENDED TO READ AS FOLLOWS:

**345 IAC 10-2.1-1 Incorporation by reference; poultry products inspection**

**Authority:** IC 15-2.1-3-19; IC 15-2.1-24-6; IC 15-2.1-24-7

**Affected:** IC 4-21.5-3; IC 15-2.1-19; IC 15-2.1-24

- Sec. 1. (a) The board adopts as its rule and incorporates by reference the following federal regulations in effect on January 1, ~~2000~~, **2002**, relating to poultry products inspection:
- (1) 9 CFR 381.1, except the definitions in IC 15-2.1 and 345 IAC 10-1-1 shall control over conflicting definitions in 9 CFR.
  - (2) 9 CFR 381.10 through 9 CFR 381.95, except the following are not incorporated:
    - (A) 9 CFR 381.36.
    - (B) 9 CFR 381.37.
    - (C) 9 CFR 381.38.
    - (D) 9 CFR 381.39.
    - (E) 9 CFR 381.45 through 9 CFR 381.61.
  - (3) 9 CFR 381.115 through 9 CFR 381.182, except the following are not incorporated:
    - (A) 9 CFR 381.132.
    - (B) 9 CFR 381.133.
  - (4) 9 CFR 381.189 through 9 CFR 381.194.
  - (5) 9 CFR 381.300 through 9 CFR 381.500.
  - (6) 9 CFR 416.
  - (7) 9 CFR 417.
  - (8) 9 CFR 500, except the following:
    - (A) References to Uniform Rules of Practice, 7 CFR Subtitle A, Part 1, Subpart H shall mean IC 15-2.1-19 and IC 4-21.5-3.
    - (B) References to adulterated or misbranded product shall refer to products adulterated or misbranded as defined in IC 15-2.1-24.
- (b) When interpreting this article, including all matters incorporated by reference, the following shall apply:
- (1) References to 9 CFR 381.3 through 9 CFR 381.7 refer to the corresponding section in 345 IAC 10-2.
  - (2) References to:
    - (A) 9 CFR 381.36 refer to 345 IAC 10-7-1;
    - (B) 9 CFR 381.37 refer to 345 IAC 10-7-2 and 345 IAC 10-7-3; and
    - (C) 9 CFR 381.38 and 9 CFR 381.39 refer to 345 IAC 10-7-4.
  - (3) References to:
    - (A) 9 CFR 381.96 refer to 345 IAC 10-13-1;
    - (B) 9 CFR 381.98 refer to 345 IAC 10-13-2;
    - (C) 9 CFR 381.99 refer to 345 IAC 10-13-3;
    - (D) 9 CFR 381.100 refer to 345 IAC 10-13-4;
    - (E) 9 CFR 381.101 refer to 345 IAC 10-13-5;

- (F) 9 CFR 381.103 refer to 345 IAC 10-13-6;
- (G) 9 CFR 381.110 refer to 345 IAC 10-13-7; and
- (H) 9 CFR 381.111 refer to 345 IAC 10-13-8.
- (4) References to 9 CFR 381.131, 9 CFR 381.132, and 9 CFR 381.133 refer to 345 IAC 10-14-18 and 345 IAC 10-14-20.
- (5) References to:
  - (A) 9 CFR 381.185 refer to 345 IAC 10-18-1; and
  - (B) 9 CFR 381.186 refer to 345 IAC 10-18-2.
- (6) References to 9 CFR 381.210 through 9 CFR 381.218 refer to the corresponding section of 345 IAC 10-20.

(c) Where the provisions of this article conflict with matters incorporated by reference, the express provisions of this article shall control. (*Indiana State Board of Animal Health; 345 IAC 10-2.1-1; filed Dec 10, 1997, 11:30 a.m.: 21 IR 1319; errata filed Mar 9, 1998, 9:30 a.m.: 21 IR 2393; filed Sep 10, 1999, 9:14 a.m.: 23 IR 16; filed Oct 30, 2000, 2:06 p.m.: 24 IR 685; errata filed Apr 9, 2001, 12:52 p.m.: 24 IR 2470; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895*)

### ***Notice of Public Hearing***

*Under IC 4-22-2-24, notice is hereby given that on October 10, 2002 at 9:45 a.m., at the Indiana State Board of Animal Health, 805 Beachway Drive, Suite 50, Indianapolis, Indiana the Indiana State Board of Animal Health will hold a public hearing on proposed amendments to rules concerning requirements for the slaughter of animals and processing of meat and poultry for human consumption. Copies of these rules are now on file at the Indiana State Board of Animal Health, 805 Beachway Drive, Suite 50 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

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Indiana State Veterinarian  
Indiana State Board of Animal Health