Chapter 619

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Labeling and Inspection of Meat and Meat Food Products

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STATE MEAT INSPECTION

619.010 Definitions for ORS 619.010 to 619.026 and 619.036 to 619.066. As used in ORS 619.010 to 619.026 and 619.036 to 619.066:

(1) "Adulterated," "misbranded" and similar terms or words have the same meaning and are defined as contained in ORS chapter 616, ORS 632.275 to 632.290, 632.450 to 632.490 and 632.900 to 632.985.

(2) "Animal food slaughtering or processing establishment" means any establishment as defined in subsection (8) of this section wherein animals are slaughtered or parts thereof prepared, offered for sale, sold or used in any manner as animal food.

(3) "Capable of use as human food" means any carcass, part of a carcass or meat product of any meat animal, which has not been denatured, or otherwise identified as required by rules prescribed by the department, to deter its use as human food, or which is naturally inedible by humans.

(4) "Custom processing establishment" means a stationary establishment wherein slaughtered meat animals, or meat, caused to be delivered by the owners thereof, are prepared for compensation, payment or remuneration of any kind, and are thereafter returned to the owner thereof or to the order of the owner.

(5) "Custom slaughtering establishment" means a mobile or stationary establishment wherein meat animals, caused to be delivered by the owners thereof, are slaughtered for compensation, payment or remuneration of any kind, and are thereafter returned to the owner thereof or to the order of the owner.

(6) "Department" means the State Department of Agriculture.

(7) "Equipment" means all machinery, fixtures, containers, vessels, tools, implements and apparatus used in and about an establishment.

(8) "Establishment" means and includes:

(a) Any building, structure or vehicle in which meat animals are slaughtered for consumption or meat products are prepared, sold, offered or held for sale.

(b) The ground upon which such place of business is operated or used, and so much ground adjacent thereto as is also used in carrying on the business of the establishment. The department may prescribe such additional area or places which, although they may not be contiguous or adjacent to the above area or establishment, may be included therein.

(9) "Federal Meat Inspection Act" means the Act so entitled approved March 4, 1907, (34 Stat. 1260), as amended by the Wholesome Meat Act (81 Stat. 584).

(10) "Food" means any article used for food or drink by humans or by dogs and cats.

(11) "Label" means a display of written, printed or graphic matter upon the immediate container, other than package liner, of any article. A requirement made under authority of ORS 576.024, 619.010 to 619.071, 619.370 and 619.993 that any word, statement or other information appears on a label has not been obeyed unless such word, statement or other information also appears on the outside container or wrapper, if any there be, of the retail package of such article, or unless such word, statement or information is easily legible through the outside container or wrapper.

(12) "Labeling" means all labels and other written, printed or graphic matter upon an article or any of its containers or wrappers, or accompanying such article.

(13) "Meat animal" means any vertebrate animal, except fish and aquatic mammals, not otherwise prohibited by law for sale for human consumption.

(14) "Meat" or "meat product" means any edible muscle, except any muscle found in the lips, snout or ears of meat animals, which is skeletal or found in the tongue, diaphragm, heart or esophagus, with or without any accompanying and overlying fat, and any portion of bone, skin, sinew, nerve or blood vessels normally accompanying the muscle tissue and not separated from it in the process of dressing or as otherwise prescribed by the department.

(15) "Meat by-product" means any edible part, other than meat, derived from one or more meat animals.

(16) "Official mark" means the official inspection legend or any other symbol prescribed by regulations of the department to identify the status of any article or animal.

(17) "Person" means any individual, partnership, association, incorporated or unincorporated business organization.

(18) "Poultry" means chickens, ducks, geese, turkeys, and all other domesticated fowls or birds.

(19) "Prepared" means ground, seasoned, canned, cooked, salted, frozen, smoked, cured, pickled, packed, boned, dried, cut up, wrapped or otherwise manufactured or processed.

(20) "Unwholesome" includes all meat or meat products which are diseased, contaminated, including drug or chemical residue, putrid, unsound, unhealthful or unfit for food. [Amended by 1957 c.104 §2; 1959 c.565 §2; 1973 c.174 §4; 1993 c.162 §2; 2001 c.104 §243]

619.016 Short title. ORS 619.010 to 619.026 and 619.036 to 619.066 shall be known as the State Meat Inspection Act. [1973 c.174 §2]

619.020 [Repealed by 1973 c.174 §20]

619.021 Purpose. The intent and purpose of ORS 576.024, 619.010 to 619.071, 619.370 and 619.993 is to give recognition to the Federal Meat Inspection Act presently being enforced in this state and at the same time recognize the responsibility of the State of Oregon to protect the public health of the citizens of this state. In furtherance of this responsibility the State Department of Agriculture is authorized to take all measures necessary and proper in its judgment to complement the enforcement of the Federal Meat Inspection Act, and to prevent and prohibit the sale and distribution of unwholesome meat and meat food products dangerous to the health, safety and welfare of Oregon consumers. In this respect the department shall exercise general sanitary and quality control, and establish supervision and safeguards over meat establishments and meat products under its jurisdiction. [1973 c.174 §3]

619.026 Meat preparation establishment sanitation requirements. (1) Every establishment, including all equipment therein or thereon, shall be kept in a clean, healthful and sanitary condition.

(2) Unclean, unhealthful and insanitary conditions shall be deemed to exist if:

(a) All the equipment utilized is not thoroughly cleaned on a daily basis, or more often as required by the State Department of Agriculture.

(b) Meat and meat products being prepared, packed, stored, sold, distributed or transported are not securely protected from flies, dust, dirt and, as far as may be necessary, by all reasonable means from all other foreign or injurious contamination.

(c) The persons and clothing of all employees or other persons therein are unclean.

(d) The refuse, dirt and waste products, subject to decomposition or fermentation generated in the operation of the establishment, are not removed at least on a daily basis or as otherwise authorized by the department. [1973 c.174 §5]

619.030 [Amended by 1957 c.104 §3; repealed by 1973 c.174 §20]

619.031 Animal food slaughtering and processing establishments; license fees; application of ORS chapter 603; prohibitions and requirements; rules. (1) A person may not operate an animal food slaughtering establishment or processing establishment without first obtaining a license for the establishment from the State Department of Agriculture.

(2) The department may adopt rules establishing license fee schedules for establishments licensed under this section. The department may determine the license fee for an establishment based upon the annual gross dollar volume of sales and services by the applicant. In establishing the amount of the license fee for an applicant, the department shall use the annual gross dollar volume of sales and services by that applicant within Oregon during the prior calendar year or, if the applicant maintains sales and service records on a fiscal basis, the prior fiscal year. If the applicant applying for an original license or for a renewal license cannot provide the annual gross dollar volume of sales and services for a full calendar year, the department shall base the fee on estimated annual gross sales and services by the applicant. If an applicant whose previous year's fee was determined using an estimated gross sales and services figure applies for renewal of that license, the fee for the previous license year shall be adjusted to reflect the actual gross dollar volume of sales and services by the applicant. The license shall expire on June 30 next following the date of issuance or on such date as may be specified by department rule.

(3) Except as provided in this subsection, the department may not adopt a rule to establish a license fee that is more than three percent higher than the license fee charged during the preceding year for an establishment of the same type and having the same volume of gross sales and services. When adopting a rule establishing a license fee, notwithstanding the three percent limit, the department may round the fee amount to the next higher whole dollar amount. Fee schedules adopted under this section may not change the amount of the same license fee more frequently than once each year.

(4) The provisions of ORS 603.025 (2) and (5), 603.034 (1) and (2), 603.045 (7) and 603.075 shall apply to animal food slaughtering establishments or processing establishments. Except as provided in this subsection, the remainder of the provisions of ORS chapter 603 do not apply to such establishments.

(5) Notwithstanding subsection (1) of this section, a person licensed by the department under ORS chapter 603 to slaughter meat animals and subject to federal meat inspection, or a person licensed by the department under ORS chapter 603 to slaughter only poultry and rabbits and subject to federal poultry inspection, or a person licensed by the department under ORS chapter 603 as a nonslaughtering processor may, without being required to obtain an additional license,

also sell or dispose of meat products as animal food provided that such licensees also comply with the provisions of subsection (6) of this section, ORS 619.010 to 619.026 and 619.036 to 619.066.

(6) In accordance with the provisions of ORS chapter 183, the department may promulgate rules necessary to carry out and enforce any procedures or measures to protect the health of the animals that are fed or intended to be fed the meat products sold or disposed of by animal food slaughtering establishments or processing establishments, and to protect the health of other animals in this state. In addition to the provisions of ORS 619.046, for the purposes of this section the department shall take into consideration:

(a) The provisions of ORS chapter 596.

(b) The procedures necessary to ensure that meat products that are only fit for or destined for animal consumption are not sold for human consumption.

(7) A person licensed as provided by this section:

(a) May not sell, hold or offer for sale any carcass of a meat animal or part thereof that is unfit for or unwholesome as animal food.

(b) May not sell, hold or offer for sale a carcass of a meat animal or part thereof for human consumption.

(c) Shall keep complete and accurate records of the meat animals purchased for slaughter, including but not limited to their description, brands if any, date of purchase and the name and address of the person from whom the animals were purchased.

(d) Shall keep complete and accurate records of the sale of all meat animal carcasses or parts of meat animal carcasses, including the name and address of the purchaser.

(e) Shall comply with the provisions of ORS 619.026. [1973 c.174 §13; 1975 c.304 §19; 1982 s.s.1 c.4 §6; 1985 c.353 §3; 1991 c.632 §3; 2005 c.735 §§5,6; 2007 c.768 §§25,26; 2012 c.64 §5]

Note: The amendments to 619.031 by section 38, chapter 64, Oregon Laws 2012, become operative July 1, 2019. See section 45, chapter 64, Oregon Laws 2012. The text that is operative on and after July 1, 2019, is set forth for the user's convenience.

619.031. (1) A person may not operate an animal food slaughtering establishment or processing establishment without first obtaining a license for the establishment from the State Department of Agriculture.

(2) The department may adopt rules establishing license fee schedules for establishments licensed under this section. The department may determine the license fee for an establishment based upon the annual gross dollar volume of sales and services by the applicant. In establishing the amount of the license fee for an applicant, the department shall use the annual gross dollar volume of sales and services by that applicant within Oregon during the prior calendar year or, if the applicant maintains sales and service records on a fiscal basis, the prior fiscal year. If the applicant applying for an original license or for a renewal license cannot provide the annual gross dollar volume of sales and services for a full calendar year, the department shall base the fee on estimated annual gross sales and services by the applicant. If an applicant whose previous year's fee was determined using an estimated gross sales and services figure applies for renewal of that license, the fee for the previous license year shall be adjusted to reflect the actual gross dollar volume of sales and services by the applicant. The license shall expire on June 30 next following the date of issuance or on such date as may be specified by department rule.

(3) The department may not adopt or enforce a rule under this section establishing a license fee that is higher than the license fee charged for the license year that began July 1, 2018, for an establishment of the same type and having the same volume of gross sales and services. Fee schedules adopted under this section may not change the amount of the same license fee more frequently than once each year.

(4) The provisions of ORS 603.025 (2) and (5), 603.034 (1) and (2), 603.045 (7) and 603.075 shall apply to animal food slaughtering establishments or processing establishments. Except as provided in this subsection, the remainder of the provisions of ORS chapter 603 do not apply to such establishments.

(5) Notwithstanding subsection (1) of this section, a person licensed by the department under ORS chapter 603 to slaughter meat animals and subject to federal meat inspection, or a person licensed by the department under ORS chapter 603 to slaughter only poultry and rabbits and subject to federal poultry inspection, or a person licensed by the department under ORS chapter 603 as a nonslaughtering processor may, without being required to obtain an additional license, also sell or dispose of meat products as animal food provided that such licensees also comply with the provisions of subsection (6) of this section, ORS 619.010 to 619.026 and 619.036 to 619.066.

(6) In accordance with the provisions of ORS chapter 183, the department may promulgate rules necessary to carry out and enforce any procedures or measures to protect the health of the animals that are fed or intended to be fed the meat products sold or disposed of by animal food slaughtering establishments or processing establishments, and to protect the health of other animals in this state. In addition to the provisions of ORS 619.046, for the purposes of this section the department shall take into consideration:

(a) The provisions of ORS chapter 596.

(b) The procedures necessary to ensure that meat products that are only fit for or destined for animal consumption are not sold for human consumption.

(7) A person licensed as provided by this section:

(a) May not sell, hold or offer for sale any carcass of a meat animal or part thereof that is unfit for or unwholesome as animal food.

(b) May not sell, hold or offer for sale a carcass of a meat animal or part thereof for human consumption.

(c) Shall keep complete and accurate records of the meat animals purchased for slaughter, including but not limited to their description, brands if any, date of purchase and the name and address of the person from whom the animals were purchased.

(d) Shall keep complete and accurate records of the sale of all meat animal carcasses or parts of meat animal carcasses, including the name and address of the purchaser.

(e) Shall comply with the provisions of ORS 619.026.

619.036 Sanitation and record inspections; seizure of nonconforming foods and facilities. The State Department of Agriculture is authorized:

(1) To inspect at reasonable times the equipment, meat and meat products and premises of establishments, meat seller establishments, grocery stores, or other places of business, for the purpose of enforcing minimum sanitary requirements, wholesomeness of meat and meat products and other provisions of ORS 576.024, 619.010 to 619.071, 619.370 and 619.993 or rules adopted under ORS 576.024, 619.010 to 619.071, 619.370 and 619.993.

(2) To seize, embargo or detain any food commodity, or quarantine any building, equipment, vehicle or facility found upon inspection or test to be in violation of ORS 619.026 to 619.066 or of any rule adopted under ORS 619.026 to 619.066.

(3) To inspect at reasonable times the records required to be kept by ORS 619.031 (7). [1973 c.174 §12; 2005 c.735 §§7,8]

619.040 [Repealed by 1973 c.174 §20]

619.041 Prohibition on use of establishment or vehicle upon determination of insanitary conditions; posting notice; removal of notice prohibited. (1) Whenever the State Department of Agriculture determines that any part of an establishment where meat products destined for sale or distribution are prepared, packed, stored, sold or distributed for consumption outside such premises, or any vehicle used in the transportation of such products is kept in an unclean, unhealthy or insanitary condition, the department shall:

(a) Notify the owner or person in charge that such establishment or vehicle shall not be used for its intended purpose until it is put in a sanitary condition by making the changes ordered in the notice; and

(b) Post a notice upon such establishment or vehicle to the effect that it is condemned for further use on account of the unclean, unhealthful or insanitary condition.

(2) The notice shall not be removed without prior approval of the department. A continued use of such establishment or vehicle without making the changes ordered, or an unauthorized removal of the notice, is a violation of this section. [1973 c.174 §8]

619.046 Rules. (1) In accordance with the provisions of ORS chapter 183, the State Department of Agriculture may promulgate rules necessary to carry out and enforce the provisions of ORS 576.024, 619.010 to 619.071, 619.370 and 619.993, including but not limited to:

(a) The establishment of conditions under which carcasses, meat and meat products of meat animals shall be stored or otherwise handled by any person engaged in buying, selling, freezing, storing, or transporting such articles, so as to assure that such articles will not be adulterated or misbranded when delivered to the consumer.

(b) The establishment of requirements for any person engaged in buying, selling or transporting dead, dying, disabled, or diseased meat animals, or parts thereof, to assure that such animals, or the unwholesome meat or meat products thereof, will be prevented from being used for human food.

(c) The establishment of minimum standards of quality and wholesomeness, and definitions and standards of identity for meat products. The definitions and standards so promulgated shall conform so far as practicable to the definitions and standards promulgated by authority of the United States and shall not be inconsistent with the definitions and standards promulgated by such federal authority under the Federal Meat Inspection Act. Such standards of quality and wholesomeness, and definitions and standards of identity shall be applicable to any establishment, retail meat market, grocery store or other place where meat products are prepared, sold, held or offered for sale.

(2) In promulgating such rules the department may consider:

(a) Meat inspection programs and standards of other states and of the United States;

(b) Economic, health and welfare consequences to this state which might result from the production, preparation, handling, sale or consumption of unwholesome meat or meat products;

(c) Necessary procedures required to prohibit the sale or consumption of unwholesome meat or meat products; and

(d) Minimum standards of refrigeration necessary to protect meat or meat products from spoilage, contamination and disease. [1973 c.174 §9; 1987 c.158 §120b]

619.050 [Repealed by 1973 c.174 §20]

619.051 Prohibited acts. No person shall:

(1) Have in the person's possession for any reason or purpose unwholesome meat or meat products that are not denatured and properly identified;

(2) Carry or transport, by vehicle or otherwise, the carcass or meat of any meat animal destined for sale or distribution as food, unless it is thoroughly protected from dust, dirt, flies or other contaminants;

(3) Sell, hold or offer for sale any meat product if such meat product is from a meat animal not slaughtered under the auspices of the meat and poultry inspection program of the United States Department of Agriculture if federal regulations have been established for the inspection of the meat animal; or

(4) Engage in an activity requiring a license under the provisions of ORS chapter 603 without first procuring such license from the State Department of Agriculture and maintaining it as prescribed in ORS chapter 603. [1973 c.174 §6; 1995 c.26 §1; 2003 c.14 §371]

619.056 Trichinae treatment required for pork products. No food consisting wholly or in part of pork muscle tissue, such as bologna style sausage, Vienna style sausage, frankfurt style sausage, summer sausage, all other similar sausages or pork products, or prepared products containing pork muscle tissue, except a fresh product consisting wholly of pork muscle tissue, shall be kept, offered or exposed for sale as food for human consumption, unless the pork muscle tissue entering into the products has been subjected to any method of treatment of pork or pork products which will destroy trichinae. [1973 c.174 §7]

619.060 [Repealed by 1973 c.174 §20]

619.061 Tagging and identification of meat products by person operating retail sales and custom slaughter or processing establishments. Any person operating a retail meat seller establishment, as defined in ORS chapter 603, in conjunction with a custom slaughtering establishment or custom processing establishment shall mark, tag or identify all individually wrapped packages or containers of meat or meat products slaughtered, wrapped, prepared or handled for the owner of a meat animal, at the time and in the manner deemed necessary by the State Department of Agriculture to protect the people of this state from the purchase or consumption of uninspected meat products. [1973 c.174 §10]

619.066 Labeling of meat products to conform to ORS chapters 616 and 618. The labeling requirements for meat or meat products shall be those prescribed in ORS chapter 616 and the labeling requirements as to weight or measure of meat or meat products shall be those prescribed in ORS chapter 618. [1973 c.174 §11; 1975 c.304 §18]

619.070 [Repealed by 1957 c.104 §21]

619.071 Disposition of moneys received by department. All moneys received by the department pursuant to ORS 619.010 to 619.071 shall be paid into the Department of Agriculture Service Fund. Such moneys are continuously appropriated to the department for the purpose of administering ORS 619.010 to 619.071. [1973 c.174 §15; 1979 c.499 §22]

619.080 [Repealed by 1957 c.104 §21]

619.090 [Repealed by 1973 c.174 §20]

GAME MEAT INSPECTION

619.095 When game meat inspection required; processing by approved establishment. (1) Game meat donated to charitable organizations shall be inspected by the State Department of Agriculture to determine fitness for human consumption as provided in ORS 603.045 and 619.031 or shall be inspected and determined fit for human consumption by employees of the State Department of Fish and Wildlife or the Department of State Police who have been trained by the State Department of Agriculture in the procedures provided in ORS 603.045 and 619.031, and shall be processed by an establishment approved by the State Department of Agriculture as provided in ORS 619.026 and 619.031 and may be served for human consumption by charitable organizations.

(2) As used in subsection (1) of this section:

(a) "Charitable organization" means the Department of Human Services, Oregon Health Authority, Oregon Youth Authority, Department of Corrections institutions, low-income nutritional centers, public school nutritional centers, senior nutritional centers, state hospitals and other charitable organizations or public institutions approved by the State Department of Fish and Wildlife.

(b) "Game meat" includes antelope, bighorn sheep, deer, elk, moose and mountain goat. [1983 c.575 §2; 1987 c.320 §239; 1997 c.249 §187; 2001 c.900 §209; 2009 c.595 §998]

619.100 [Repealed by 1973 c.174 §20]

619.105 Liability of public employees for inspection. No civil or criminal sanctions shall be imposed upon State Department of Agriculture employees, State Department of Fish and Wildlife employees or Department of State Police employees for the good faith inspection of game meat as provided in ORS 619.095. [1983 c.575 §5]

619.110 [Amended by 1957 c.104 §4; repealed by 1973 c.174 §20]

619.120 [Repealed by 1973 c.174 §20]

619.130 [Repealed by 1973 c.174 §20]

619.140 [Repealed by 1973 c.174 §20]

619.150 [Repealed by 1973 c.174 §20]

619.160 [Repealed by 1973 c.174 §20]

619.170 [Repealed by 1973 c.174 §20]

619.180 [Repealed by 1957 c.104 §21]

619.190 [Repealed by 1957 c.104 §21]

619.200 [Amended by 1957 c.104 §5; repealed by 1973 c.174 §20]

619.210 [Repealed by 1969 c.565 §48]

619.220 [Amended by 1957 c.104 §6; repealed by 1969 c.565 §48]

619.230 [Amended by 1957 c.104 §7; repealed by 1973 c.174 §20]

619.240 [Amended by 1957 c.104 §8; repealed by 1973 c.174 §20]

619.250 [Repealed by 1955 c.11 §4]

619.310 [1959 c.646 §1; repealed by 1973 c.174 §20]

619.315 [1959 c.646 §2; repealed by 1973 c.174 §20]

619.320 [1959 c.646 §3; 1961 c.230 §1; repealed by 1973 c.174 §20]

619.322 [1961 c.230 §4; repealed by 1973 c.174 §20]

619.325 [1959 c.646 §4; 1961 c.230 §2; repealed by 1973 c.174 §20]

619.327 [1961 c.230 §5; repealed by 1973 c.174 §20]

619.330 [1959 c.646 §§5,6; repealed by 1973 c.174 §20]

619.335 [1959 c.646 §8; repealed by 1973 c.174 §20]

619.340 [Subsection (1) enacted as 1959 c.646 §7; subsection (2) enacted as 1961 c.230 §6; repealed by 1973 c.174 §20]

IDENTIFICATION OF FRYERS

619.350 "Fryer" defined. As used in ORS 619.350 to 619.380, unless the context requires otherwise, "fryer" means a chicken of any breed or variety, slaughtered under the age of six months, produced for sale for human consumption as a fryer, broiler or fryer-roaster, or the cut-up parts of such a chicken. [1959 c.385 §1; 1997 c.462 §1; 2009 c.367 §4]

619.355 Identification required before sale for human consumption; exception. (1) All fryers and fryer parts that are exposed or offered for sale for human consumption in this state and that have been grown in Oregon must be conspicuously identified to the consumer or purchaser as fryers or fryer parts that are Oregon-grown.

(2) The provisions of subsection (1) of this section do not apply to fryers that are exposed or offered for sale to ultimate consumers at the farm or ranch where the fryers were produced, if no fryers produced elsewhere are exposed or offered for sale to ultimate consumers at the farm or ranch. [1959 c.385 §§2,3; 1997 c.462 §2]

619.360 Identification required before transporting for sale for human consumption. Except as provided in ORS 619.375, and except for a common carrier, no person shall transport any fryer for purposes of sale for human consumption unless the fryer is identified as required by ORS 619.355 (1) and 619.370. [1959 c.385 §7; 1997 c.462 §4]

619.365 Misrepresentation concerning grower, state of origin or fresh condition. No person, by means of any representation, either verbal, printed or written, shall willfully represent or pretend that fryers or parts thereof:

(1) Were grown by any person, or in any state, other than by the person and in the state where the fryers were in fact grown; or

(2) Are fresh, if at any time after slaughter, they have ever been frozen. [1959 c.385 §4; 1967 c.301 §1; 1997 c.462 §3]

619.370 Labeling concerning addition of chemical preservative. (1) No person shall sell or display, expose, offer or possess for sale for human consumption, a fryer to which a chemical preservative has been added, unless it is conspicuously labeled in legible letters or figures of not less than one-sixteenth of an inch in height with the words "preservatives added: (here insert a list of the preservatives, by their common or technical names)."

(2) "Chemical preservative," as used in this section, means any substance, including but not limited to antibiotics, which when added to fryers tends to prevent or retard deterioration of the fryer, but does not include common salt, sugars, vinegars, spices or oils extracted from spices, or substances added to food by direct exposure to wood smoke.

(3) Subsections (1) and (2) of this section do not apply to a fryer or immediate container which bears a label provided under section 81.120 of the United States Department of Agriculture Regulations issued pursuant to the Poultry Products Inspection Act (71 Stat. 441), as amended by the Wholesome Poultry Products Act of August 18, 1969, (82 Stat. 971; U.S.C. 451) et seq. [1959 c.385 §5; 1973 c.174 §14]

619.375 Certain fryers excepted from provisions of ORS 619.350 to 619.380. The provisions of ORS 619.350 to 619.380 do not apply to fryers being transported from the grower's residence or place of business to a warehouse for storage, or to any place for inspection, grading, packing or processing. [1959 c.385 §6]

619.380 Enjoining violations. In addition to other penalties and enforcement provisions contained in ORS 619.350 to 619.380, circuit courts may, upon petition of the State Department of Agriculture, enjoin by temporary or permanent injunction any violation of the provisions of ORS 619.350 to 619.380. [1959 c.385 §8; 2009 c.367 §5]

619.410 [1957 c.104 §1; repealed by 1973 c.174 §20]

LABELING OF LAMB

619.411 Definitions for ORS 619.411 to 619.426. As used in ORS 619.411 to 619.426:

(1) "Commission" means the Oregon Sheep Commission.

(2) "Lamb" means animals defined as lamb by the United States Department of Agriculture grading standards.

(3) "Immediate container" means the box, carton, bag or wrapper or other receptacle used by any person in transporting lamb, or in which lamb is offered for sale. "Immediate container" does not include package liners.

(4) "Label" means the information required by ORS 619.411 to 619.426 to be placed on the lamb or on the immediate container by means of a stamp, stencil or printing by machine or by attaching to the immediate container, by means of glue or paste, a machine-printed label. [1989 c.616 §2]

619.416 Labeling required before sale for human consumption; restriction on use of words "Grown in Oregon." (1) Lamb, or the immediate container in which it is enclosed, which is produced and processed in Oregon and is offered for sale for human consumption, may be conspicuously labeled with a label not less than one inch in height and one and one-half inches in width in legible letters or figures of not less than three-sixteenths of an inch in height, with the words "Grown in Oregon." If the immediate container is made of transparent material, the label may be placed inside the material if it is affixed so that it is easily readable by a consumer or purchaser. If the lamb is not enclosed in an immediate container, the label shall be placed on a tag securely fastened to the lamb.

(2) Lamb that is produced in Oregon and processed out-of-state may carry the "Grown in Oregon" label if the producer, processor and retailer voluntarily develop a system of tracking and are able to prove that lamb sold for human consumption carrying the "Grown in Oregon" label was produced in Oregon.

(3) Lamb that is not produced in Oregon may not carry the name Oregon, in any form, anywhere on the lamb or its immediate container. [1989 c.616 §3]

619.420 [1957 c.104 §10; repealed by 1973 c.174 §20]

619.421 Misrepresentation regarding grower, state of origin or fresh condition. No person, by means of any representation, either verbal, printed or written, or by improper use of labels, shall willfully represent or pretend that lamb:

(1) Was grown by any person, or in any state or country other than by the person and in the state or country where the lamb was in fact grown.

(2) Is fresh, if, at anytime after slaughter, it has ever been frozen. [1989 c.616 §4]

619.426 Enjoining violations. Circuit courts hereby are authorized, upon petition of the Oregon Sheep Commission, to enjoin by temporary or permanent injunction any violations of the provisions of ORS 619.411 to 619.426. [1989 c.616 §5]

619.430 [1957 c.104 §11; repealed by 1973 c.174 §20]

619.440 [1957 c.104 §12; repealed by 1973 c.174 §20]

619.450 [1957 c.104 §13; repealed by 1973 c.174 §20]

619.460 [1957 c.104 §14; 1967 c.637 §22; repealed by 1973 c.174 §20]

619.470 [1957 c.104 §15; repealed by 1973 c.174 §20]

619.480 [1957 c.104 §16; repealed by 1973 c.174 §20]

619.490 [1957 c.104 §§17,18; repealed by 1973 c.174 §20]

619.500 [1957 c.104 §19; 1971 c.695 §8; repealed by 1973 c.174 §20]

619.605 [1957 c.104 §1; 1969 c.565 §7; repealed by 1973 c.174 §20]

619.610 [1955 c.712 §1; 1957 c.614 §6; 1959 c.565 §18; repealed by 1969 c.565 §8 (619.611 enacted in lieu of 619.610)]

619.611 [1969 c.565 §9 (enacted in lieu of 619.610); repealed by 1973 c.174 §20]

619.615 [1969 c.565 §11; repealed by 1973 c.174 §20]

619.620 [1955 c.712 §10(1); repealed by 1973 c.174 §20]

619.627 [1969 c.565 §33; repealed by 1973 c.174 §20]

619.630 [1955 c.712 §10(2); 1967 c.392 §3; repealed by 1969 c.565 §48]

619.632 [1969 c.565 §13; repealed by 1973 c.174 §20]

619.635 [1961 c.164 §9; 1967 c.392 §4; repealed by 1969 c.565 §48]

619.637 [1965 c.483 §4; 1967 c.392 §5; 1969 c.565 §12; repealed by 1973 c.174 §20]

619.639 [1969 c.565 §13a; repealed by 1973 c.174 §20]

619.640 [Amended by 1955 c.712 §13; 1959 c.565 §6; 1961 c.164 §2; repealed by 1967 c.392 §11]

619.642 [1959 c.565 §10; 1961 c.164 §3; 1967 c.392 §6; repealed by 1969 c.565 §48]

619.644 [1969 c.565 §26; repealed by 1973 c.174 §20]

619.645 [1957 c.614 §2; 1959 c.565 §7; repealed by 1969 c.565 §48]

619.647 [Amended by 1959 c.565 §5; 1961 c.164 §4; repealed by 1969 c.565 §48]

619.650 [1955 c.712 §14; repealed by 1973 c.174 §20]

619.652 [1957 c.614 §3(1); repealed by 1959 c.565 §20]

619.654 [1957 c.614 §3(2); repealed by 1959 c.565 §20]

619.656 [1957 c.614 §4; repealed by 1959 c.565 §20]

619.658 [1957 c.614 §5; repealed by 1959 c.565 §20]

619.660 [1955 c.712 §15; repealed by 1969 c.565 §48]

619.662 [1969 c.565 §29; repealed by 1973 c.174 §20]

619.664 [1969 c.565 §30; repealed by 1973 c.174 §20]

619.670 [1955 c.712 §2; 1961 c.164 §5; repealed by 1973 c.174 §20]

619.675 [1969 c.565 §35; repealed by 1973 c.174 §20]

619.677 [1969 c.565 §14; repealed by 1973 c.174 §20]

619.680 [1955 c.712 §3; repealed by 1969 c.565 §48]

619.682 [1969 c.565 §40; 1971 c.734 §91; repealed by 1973 c.174 §20]

619.684 [1957 c.629 §3; 1961 c.164 §6; repealed by 1969 c.565 §48]

619.686 [1957 c.629 §5; 1961 c.164 §7; 1967 c.637 §23; repealed by 1969 c.565 §48]

619.687 [1959 c.565 §4; repealed by 1969 c.565 §48]

619.688 [1957 c.629 §6; 1969 c.565 §15; 1971 c.734 §92; repealed by 1973 c.174 §20]

619.690 [1955 c.712 §4; repealed by 1959 c.565 §20]

619.695 [1959 c.565 §3; repealed by 1973 c.174 §20]

619.700 [1955 c.712 §5; 1959 c.565 §8; repealed by 1973 c.174 §20]

619.710 [1955 c.712 §6; 1957 c.629 §1; repealed by 1973 c.174 §20]

619.712 [1969 c.565 §27; repealed by 1973 c.174 §20]

619.714 [1969 c.565 §16; 1971 c.645 §1; repealed by 1973 c.174 §20]

619.715 [1965 c.483 §2; 1967 c.392 §7; repealed by 1969 c.565 §48]

619.716 [1971 c.645 §3; repealed by 1973 c.174 §20]

619.718 [1969 c.565 §17; repealed by 1973 c.174 §20]

619.720 [1955 c.712 §10(8); 1967 c.392 §8; repealed by 1969 c.565 §48]

619.722 [1969 c.565 §32; repealed by 1973 c.174 §20]

619.725 [1965 c.483 §3; 1967 c.392 §9; repealed by 1969 c.565 §48]

619.730 [1955 c.712 §10(3); 1969 c.565 §18; repealed by 1973 c.174 §20]

619.732 [1969 c.565 §23; repealed by 1973 c.174 §20]

619.734 [1969 c.565 §24; repealed by 1973 c.174 §20]

619.736 [1969 c.565 §25; repealed by 1973 c.174 §20]

619.740 [1955 c.712 §10(4); repealed by 1969 c.565 §48]

619.750 [1955 c.712 §10(9); repealed by 1961 c.164 §11]

619.760 [1955 c.712 §16; repealed by 1969 c.565 §48]

619.765 [1959 c.565 §13; repealed by 1973 c.174 §20]

619.769 [1969 c.565 §31; repealed by 1973 c.174 §20]

619.770 [1955 c.712 §10(6),(7); repealed by 1969 c.565 §48]

619.774 [1969 c.565 §47; repealed by 1973 c.174 §20]

619.776 [1969 c.565 §28; repealed by 1973 c.174 §20]

619.778 [1969 c.565 §34; repealed by 1973 c.174 §20]

619.780 [1955 c.712 §§7,9; 1957 c.614 §7; repealed by 1969 c.565 §48]

619.781 [1969 c.565 §37; repealed by 1973 c.174 §20]

619.782 [1959 c.565 §12; repealed by 1969 c.565 §48]

619.783 [1969 c.565 §38; repealed by 1973 c.174 §20]

619.784 [1959 c.565 §11; 1967 c.392 §10; 1969 c.565 §19; repealed by 1973 c.174 §20]

619.786 [1959 c.565 §14; 1969 c.565 §20; repealed by 1973 c.174 §20]

619.788 [1959 c.565 §9; repealed by 1973 c.174 §20]

619.790 [1955 c.712 §8; repealed by 1959 c.565 §20]

619.795 [1969 c.565 §43; repealed by 1973 c.174 §20]

619.800 [1955 c.712 §11; repealed by 1969 c.565 §48]

619.810 [1955 c.712 §10(5); repealed by 1973 c.174 §20]

619.815 [1969 c.565 §36; repealed by 1973 c.174 §20]

619.820 [1955 c.712 §12; repealed by 1969 c.565 §48]

619.822 [1969 c.565 §44; repealed by 1973 c.174 §20]

619.825 [1957 c.629 §4; 1969 c.565 §21; repealed by 1973 c.174 §20 and by 1973 c.794 §34]

619.827 [1969 c.565 §45; repealed by 1973 c.174 §20]

619.829 [1969 c.565 §42; repealed by 1973 c.174 §20]

619.830 [1955 c.712 §10(10); repealed by 1973 c.174 §20]

619.910 [1965 c.150 §§1,2,3,4; repealed by 1973 c.174 §20]

619.990 [Subsection (5) enacted as 1955 c.712 §17; subsection (6) enacted as 1959 c.565 §19; 1961 c.164 §10; subsection (7) enacted as 1965 c.483 §8; subsection (8) enacted as 1965 c.150 §5; repealed by 1969 c.565 §48]

619.991 [Derived from 1957 c.104 §20; 1959 c.385 §9; 1959 c.646 §9; repealed by 1973 c.174 §20]

619.992 [1969 c.565 §46; repealed by 1973 c.174 §20]

PENALTIES

619.993 Criminal penalty for meat inspection law violations. Violation of any of the provisions of ORS 619.010 to 619.071 and 619.370, or rules adopted under ORS 619.010 to 619.071 or for the enforcement of ORS 619.370 is a Class A misdemeanor. [1973 c.174 §16; 1975 c.304 §8; 2009 c.175 §3]

619.996 Civil penalties; rules; hearing; disposition of moneys. (1) In addition to any penalty available under ORS 561.190 or 619.993, the State Department of Agriculture may impose a civil penalty for a violation of this chapter or of rules adopted under this chapter. For the purposes of this section, each day a violation continues after the period of time established for compliance shall be considered a separate violation unless the department finds that a different period of time is more appropriate to describe a specific violation event.

(2) The department may adopt rules establishing a schedule of civil penalties that may be imposed under this section. Civil penalties imposed under this section may not exceed $10,000 for each violation.

(3) When the department imposes a civil penalty under subsection (1) of this section, the department shall impose the penalty in the manner provided by ORS 183.745, except that the written application for a hearing must be received by the department no later than 10 days after the date of mailing or personal service of the notice of civil penalty.

(4) Moneys received by the department from civil penalties imposed under this section shall be deposited in the General Fund to the credit of the Department of Agriculture Account. [2009 c.175 §14]