

state inspection acts are proposed for deletion because they are unnecessary.

Subsection (k) presently appears as Article 43, §197-5(b). The only other changes made are in style.

SEC. 4-205. INSPECTION OF OFFICIAL PCULTRY PROCESSING ESTABLISHMENTS; CONDEMNATION.

(A) INSPECTION.

AT ANY OFFICIAL ESTABLISHMENT, THE SECRETARY MAY PERFORM THE FOLLOWING ACTS:

- (1) ANTEMORTEM INSPECTION,
- (2) POSTMORTEM INSPECTION, AND
- (3) QUARANTINE, SEGREGATION, AND REINSPECTION.

(B) CONDEMNATION; EXCEPTION.

EVERY POULTRY CARCASS, PART OF IT, OR OTHER POULTRY PRODUCT FOUND TO BE ADULTERATED IN ANY OFFICIAL ESTABLISHMENT SHALL BE CONDEMNED. IF NO APPEAL IS TAKEN FROM THE DETERMINATION OF CONDEMNATION, EVERY ADULTERATED ARTICLE SHALL BE DESTROYED FOR HUMAN FOOD PURPOSES UNDER THE SUPERVISION OF THE INSPECTOR IN THE MANNER THE RULES AND REGULATIONS PRESCRIBE. HOWEVER, ANY ARTICLE WHICH MAY BE REPROCESSED SO THAT IT IS NOT ADULTERATED NEED NOT BE CONDEMNED [[IT]] IF IT IS REPROCESSED UNDER THE SUPERVISION OF AN INSPECTOR AND FOUND NOT TO BE ADULTERATED.

(C) APPEAL OF A DETERMINATION OF CONDEMNATION.

IF AN APPEAL TO THE SECRETARY IS TAKEN FROM A DETERMINATION OF CONDEMNATION, THE ARTICLE SHALL BE MARKED APPROPRIATELY AND SEGREGATED PENDING AN APPEAL INSPECTION. IF THE SECRETARY DETERMINES THAT THE APPEAL IS FRIVOLOUS, THE APPELLANT SHALL BEAR ANY COST OF THE APPEAL INSPECTION. IF THE DETERMINATION IS SUSTAINED, THE ARTICLE SHALL BE DESTROYED FOR HUMAN FOOD PURPOSES IN ACCORDANCE WITH THIS SECTION.

REVISOR'S NOTE: This section is new language derived from Art. 43, §197-7 of the Code. Subsection (a) is derived from §197-7(a)