

**TEXAS DEPARTMENT OF STATE HEALTH SERVICES
MEAT SAFETY ASSURANCE
AUSTIN, TEXAS**

MSA DIRECTIVE	20,500.1	3/09/2022
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Procedures regarding the reuse of official inspection marks; reuse of containers bearing official marks, labels, etc.

I. Purpose

This directive provides instructions to inspection program personnel (IPP) on the regulations and expectations regarding the reuse of official inspection marks; reuse of containers bearing official marks, labels, etc.

II. Background

Containers or packages of inspected and passed meat and poultry products must bear a label or other labeling when shipped from official establishments. The Federal Meat Inspection Act (FMIA) (Section 21 U.S.C. 604), Texas Meat and Poultry Inspection Act (TMPIA) (Health and Safety Code (HSC) 433), Texas Administrative Code (25 TAC 221) and meat inspection regulations (9 CFR 316.9(a)) mandate that IPP are to ensure only carcasses, parts of carcasses (i.e. cattle, sheep, swine, and goats) and other amenable meat products that have been inspected and passed bear the mark of inspection. Product that is wholesome and not adulterated, and suitable for human consumption, are eligible to bear the mark of inspection as provided by 21 U.S.C. 604, HSC 433, 25 TAC 221.11(8) and 9 CFR 310.8.

Official labels applied to amenable meat and poultry products are regulated by 9 CFR 317 and 9 CFR 381. 9 CFR 317.10(a) prohibits the reuse of any official inspection legend or other official mark which has been previously used except as provided for in 9 CFR 317.10(b). 9 CFR 317.10(b) states that all stencils, marks, labels, or other labeling on previously used containers, whether relating to any product or otherwise, shall be removed or obliterated before such containers are used for any product, unless such labeling correctly indicates the product to be packed therein and such containers are refilled under the supervision of a Program employee.

Note: For this directive the following definitions shall apply:

1. **Official mark:** Any mark or labeling required by 9 CFR 312.
2. **Obliterated:** To remove all recognition, trace, indication or significance.

III. IPP Responsibilities

IPP are responsible for ensuring that the mark of inspection (official mark) is only applied to wholesome, inspected and passed meat products, this responsibility extends to the reuse of the marks of inspection.

Product containers can be reused if the establishment reusing the container obliterates all inspection legends, official marks, and product names/descriptions (unless they match the current contents of the box) applied to the box by the originating establishment.

Additionally, the establishment reusing the box must apply defacing marks (e.g., line-through or an "X") through any other establishment name(s) to make it apparent (easily understood) that the box and the current contents are not from the originating or indicated establishment.

The product name and product description labels do not need to be removed if it will accurately reflect the product being placed into the container. The reused container must be properly labeled with an approved label identifying the current contents and refilled under MSA supervision to bear the official mark of inspection.

IV. Questions

Refer questions through supervisory channels.



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