



REQUEST FOR PUBLIC COMMENT Meat, Poultry, and Fish Rules – Five Year Rule Review

The rules in this package have been reviewed pursuant to Chapter 119 of the Revised Code and are being proposed to be rescinded. The comment period will remain open through July 21, 2017. Comments may be emailed to ecomments@agri.ohio.gov or mailed to Legal Section, Ohio Department of Agriculture, 8995 E. Main St., Reynoldsburg, Ohio 43068

The rules in Chapter 901:3-31 outline regulations concerning the labeling, packaging, preparation, and sale of meat, poultry, and fish products in the state of Ohio. **The rules have been proposed to be rescinded as all of the requirements in this Chapter are currently regulated in other parts of the Ohio Administrative Code.** Namely, these regulations can also be found in Chapters 901:3-1 and 901:2-1 of the Ohio Administrative Code. Based on this duplication, it was determined that this chapter be rescinded. The rules which are being rescinded are as follows:

OAC Rule 901:3-31-01 outlines the definitions as used in the chapter. The rule is being rescinded.

OAC Rule 901:3-31-02 outlines the labeling requirements for meat, poultry, and fish products. The existing regulations mirror the regulations found in 21 C.F.R. 101. These regulations have been adopted in Ohio Administrative Code Chapter 901:3-1 and Chapter 901:6-3. Therefore, in order to avoid duplication, the rules are being rescinded.

OAC Rule 901:3-31-03 also outlines the labeling requirements for meat, poultry, and fish products. The existing regulations mirror the regulations found in 21 C.F.R. 101. These regulations have been adopted in Ohio Administrative Code Chapter 901:3-1 and Chapter 901:6-3. Therefore, in order to avoid duplication, the rules are being rescinded.

OAC Rule 901:3-31-04 outlines the labeling requirements for meat, poultry, and fish products. The existing regulations mirror the regulations found in 21 C.F.R. 101. These regulations have been adopted in Ohio Administrative Code Chapter 901:3-1 and Chapter 901:6-3. Therefore, in order to avoid duplication, the rules are being rescinded.

OAC Rule 901:3-31-05 states that meat products shall not be packed in hermetically sealed metal or glass containers unless subsequently heat processed or otherwise treated. The rule goes on to state that this processing must meet the requirements of OAC 901:2-1-01. This requirement already exists in OAC 901:2-1-01, in order to avoid duplication, this rule is being rescinded.

OAC Rule 901:3-31-06 outlines requirements concerning ingredients and other articles used in the preparation of products. The requirements listed in this rule mirror those found in Title 9 of the Code of Federal Regulations. These requirements have been adopted pursuant to Chapter 918



of the Ohio Revised Code in Chapter 901:2-1 of the Ohio Administrative Code. Therefore, in order to avoid duplication, the rules are being rescinded.

OAC Rule 901:3-31-07 states the process for the approval of substances used in the preparation of food products. These requirements mirror 9 C.F.R. 424.21 which have been adopted pursuant to Chapter 918 of the Ohio Revised Code in Chapter 901:2-1 of the Ohio Administrative Code. Therefore, in order to avoid duplication, the rules are being rescinded.

OAC Rule 901:3-31-08 outlines the prescribed treatment of pork and products containing pork to destroy the bacteria trichinae. These requirements mirror 9 C.F.R. 318.10 which have been adopted pursuant to Chapter 918 of the Ohio Revised Code in Chapter 901:2-1 of the Ohio Administrative Code. Therefore, in order to avoid duplication, the rules are being rescinded.

OAC Rule 901:3-31-09 outlines the use of separate meat grinders when processing different meat products. These requirements have been adopted in Ohio Administrative Code Chapter 901:3-1 as Good Manufacturing Practices. Therefore, in order to avoid duplication, the rules are being rescinded.

OAC Rule 901:3-31-10 outlines the process by which the Department may embargo a product that is unfit for the use intended by the manufacturer. These requirements have been adopted in Ohio Administrative Code Chapter 901:3-1 as Good Manufacturing Practices. Therefore, in order to avoid duplication, the rules are being rescinded.

OAC Rule 901:3-31-11 outlines the “standards of identity” for meat products. These requirements mirror 9 C.F.R. 319 which have been adopted pursuant to Chapter 918 of the Ohio Revised Code in Chapter 901:2-1 of the Ohio Administrative Code. Therefore, in order to avoid duplication, the rules are being rescinded.

OAC Rule 901:3-31-12 outlines the proper cooking temperature for poultry products. These requirements mirror 9 C.F.R. 318.146-150 which have been adopted pursuant to Chapter 918 of the Ohio Revised Code in Chapter 901:2-3 of the Ohio Administrative Code. Therefore, in order to avoid duplication, the rules are being rescinded.

OAC Rule 901:3-31-13 sets forth the requirements for the disclosure of poultry meat content. These requirements mirror 9 C.F.R. 318.155-174 which have been adopted pursuant to Chapter 918 of the Ohio Revised Code in Chapter 901:2-3 of the Ohio Administrative Code. Therefore, in order to avoid duplication, the rules are being rescinded.

OAC Rule 901:3-31-14 outlines the “standards of identity” for poultry products. These requirements mirror 9 C.F.R. 318.155-174 which have been adopted pursuant to Chapter 918 of the Ohio Revised Code in Chapter 901:2-3 of the Ohio Administrative Code. Therefore, in order to avoid duplication, the rules are being rescinded.

OAC Rule 901:3-31-15 outlines the standards kinds, cuts, and classes of poultry products. These requirements mirror 9 C.F.R. 318.155-174 which have been adopted pursuant to Chapter 918 of



the Ohio Revised Code in Chapter 901:2-3 of the Ohio Administrative Code. Therefore, in order to avoid duplication, the rules are being rescinded.

OAC Rule 901:3-31-16 outlines lighting requirements for meat and poultry displays. These requirements have been adopted in Ohio Administrative Code Chapter 901:3-1 as Good Manufacturing Practices. Therefore, in order to avoid duplication, the rules are being rescinded.

