WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1968

ENROLLED

HOUSE BILL No. 204

(By Mr. [Signature], Mr. With, and Mr. Edgar)

PASSED February 6, 1968

In Effect July 1, 1968

FILED IN THE OFFICE OF THE SECRETARY OF STATE
THIS DATE 2-16-68
ENROLLED

House Bill No. 204
(By Mr. Speaker, Mr. White, and Mr. Edgar)

[Passed February 6, 1968; in effect July 1, 1968.]

AN ACT to amend and reenact sections two, four, six, seven, eight and ten, article two-b, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to inspection of meat and meat products.

Be it enacted by the Legislature of West Virginia:

That sections two, four, six, seven, eight and ten, article two-b, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:
ARTICLE 2B. INSPECTION OF MEAT AND MEAT PRODUCTS.


1 Unless the context in which used clearly requires a
different meaning, as used in this article:

3 (a) "Department" means the department of agricul-
ture of the state of West Virginia;

5 (b) "Commissioner" means the commissioner of agri-
culture of the state of West Virginia and his duly author-
ized representatives;

8 (c) "Person" means any individual, partnership, cor-
poration, association, or other entity;

10 (d) "Contract veterinarian" means a graduate of a
school of veterinary medicine accredited by the Ameri-
can Veterinary Medical Association who provides services
for the department under contract;

14 (e) "Veterinary supervisor" means a graduate of a
school of veterinary medicine accredited by the Ameri-
can Veterinary Medical Association, and employed by the
department to inspect and supervise the inspection of
animals, carcasses, meat, meat food products or meat by-
products;
(f) "Meat inspector" means an individual employed by the department to inspect animals, carcasses, meat, meat food products or meat by-products under the supervision of a veterinary supervisor;

(g) "State inspection" means inspection services conducted by the department at or in connection with establishments required to be licensed by this article;

(h) "W. Va. Condemned," or abbreviation thereof, means the animal so marked has been inspected and found to be in a dying condition, or to be affected with any other condition or disease that would require condemnation of its carcass;

(i) "W. Va. Inspected and Condemned," or abbreviation thereof, means that the carcass, meat, meat food product or meat by-product, so marked or so identified, is unwholesome or adulterated and shall be disposed of in the manner prescribed by the commissioner.

(j) "W. Va. Retained" means that the carcass, meat, meat food product or meat by-product so identified is held for further examination by a veterinary supervisor or contract veterinarian to determine its disposal;
(k) "W. Va. Suspect" means that the animal so marked and identified is suspected of being affected with a disease or condition which may require its condemnation, in whole or in part, when slaughtered, and is subject to further examination by a contract veterinarian or veterinary supervisor to determine its disposal;

(1) "W. Va. Inspected and Passed," or abbreviation thereof, means that the carcass, meat, meat food product or meat by-product, so marked or so identified, was at the time it was so marked or so identified found to be wholesome;

(m) "Country" when used in the name of a meat, meat food product or meat by-product means that such meat, meat food product or meat by-product was actually prepared on a farm;

(n) "Federal inspection" means the meat and poultry inspection service conducted or approved by the meat inspection division and the poultry inspection division of the United States department of agriculture;

(o) Federal Meat Inspection Act means the act so entitled, approved March four, one thousand nine hun-
dred seven, as amended by the Wholesome Meat Act.
(p) "Federal Poultry Products Inspection Act" means the act of Congress approved August twenty-eighth, one thousand nine hundred fifty-seven, as amended;
(q) "Inspection legend" means a mark or a statement on a carcass, meat, meat food products or meat by-product indicating the same has been inspected and passed in this state under the provisions of this article;
(r) "Meat label" means a display of written, printed or graphic matter on a container indicating the carcass, meat, meat food products or meat by-products contained therein have been inspected and passed in this state under the provisions of this article;
(s) "Official inspection mark" means any symbol prescribed by the commissioner for the purpose of identifying the inspection status of any article so inspected;
(t) "Establishment number" means an official number assigned by the commissioner to each establishment and included on the inspection legend and meat label to identify all inspected and passed carcasses, meat, meat
food products and meat by-products handled in that
establishment;

(u) "Container" and "package" shall include but not
be limited to any box, can, tin, cloth, plastic or any other
receptacle, wrapper or cover;

(v) "Sell" means offer for sale, expose for sale, have
in possession for sale, exchange, barter or trade;

(w) "Animals" means cattle, swine, sheep, goats and
rabbits;

(x) "Carcass" means all or any part of a slaughtered
animal, including viscera, which is capable of being used
for human consumption;

(y) "Meat" means the edible part of the muscle of
animals, which is skeletal or which is found in the
tongue, in the diaphragm, in the heart or in the esophagus,
with or without the accompanying or overlying fat,
and the portions of bone, skin, sinew nerve and blood
vessels which normally accompany the muscle tissue
and which are not separated from it in the process of
dressing; it does not include the muscle found in the
lips, snout or ears;
(z) "Meat food product" means any article of food for human consumption or any article which enters into the composition of food for human consumption, which is derived or prepared in whole or in part from any portion of any animal, except organotherapeutic substances, meat juices, meat extract and the like which are only for medicinal purposes and are advertised only to the medical profession; any edible part of the carcass which has been manufactured, cured, smoked, processed or otherwise treated shall be considered a meat food product;

(aa) "Meat by-product" means any edible part of an animal other than meat or meat food product;

(bb) "Denature" means the uniform application of sufficient quantities of crude carbolic acid, cresylic disinfectant, or any other agent approved by the commissioner upon and into the freely slashed flesh of any carcass or product condemned;

(cc) "Decharacterization" means the uniform application of sufficient quantities of dye, charcoal, malodorous fish oil, or any other agent approved by the commis-
sioner, upon and into the freely slashed flesh of car-
casses or meat not being rendered, so as to unequivocally
preclude its use for human food;

(dd) "Inedible" means meat, meat food prod-
ucts and meat by-products derived from 4-D or con-
demned animals, or animals which the meat, meat food
products or meat by-products are otherwise unsuitable
for human consumption and shall include meat, meat
food products or meat by-products regardless of origin,
which have deteriorated so far as to be unfit for human
consumption;

(ee) "4-D animal" means an animal that is dead, dy-
ing, down or diseased on arrival at the slaughter house;

(ff) "Commercial slaughter" means a person en-
gaged for profit in this state in the business of slaught-
ing or dressing animals for human consumption which
are to be sold or offered for sale through a commercial
outlet or establishment, and shall include a person who
in addition to such commercial slaughtering also engages
in the business of a custom slaughterer;
(gg) "Custom slaughterer" means a person engaged for profit in this state in the business of slaughtering or dressing animals for human consumption which are not to be sold or offered for sale through a commercial outlet or establishment, and shall include the boning or cutting up of carcasses of such animals and the grinding, chopping and mixing of the carcasses thereof;

(hh) "Slaughterhouse" shall include but not be limited to all buildings, structures and facilities used in the slaughtering or dressing of animals for human consumption:

(ii) "Distributor" means a person engaged for profit in this state in the business where carcasses, meat, meat food products or meat by-products are received from state or federally inspected establishments, or approved by the United States department of agriculture, and who stores and distributes to commercial outlets, processors or individuals, and who conducts no processing other than wrapping and/or cutting of carcasses or its parts into quarters or wholesale cuts;
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(jj) "Processor" means a person who engages for profit in this state in the business of packing or packaging carcasses, meat, meat food products or meat by-products for human consumption or a person engaged for profit in the business of curing, salting, smoking, processing or other preparing of carcasses, meat, meat food products or meat by-products for human consumption;

(kk) "Commercial processor" means a processor for commercial outlets or distributors and shall include the business of custom processing;

(ll) "Custom processor" means a processor in which the meat, meat food products or meat by-products derived through processing cannot be sold or be offered for sale through a commercial outlet, or distributor;

(mm) "Processing plant" shall include but not be limited to all buildings, structures, chill rooms, aging rooms, processing rooms, sanitary facilities, other facilities, and utensils, used by or in connection with the operations of a processor;

(nn) "Establishment" means any slaughterhouse, processing plant or distributor in this state;
(oo) "Related industries" means rendering plants, refrigerated meat warehouses, food lockers, meat and poultry wholesalers, brokers, pet food manufacturers, other animal food manufacturers, animal impoundments whose main source of food supply is derived from the raw meats, transportation firms and private carriers;

(pp) "Commercial outlet" means a place of business in this state and shall include all retail stores and public eating places in which carcasses, meat, meat food products or meat by-products are stored, sold or offered for sale for human consumption by the purchaser or others;

(qq) "Commercial dealer" means any person who operates one or more commercial outlets and who sells or offers for sale thereat any carcasses, meat, meat food products or meat by-products for human consumption, and who does not can, cook, cure, dry, smoke or render any carcass, meat, meat food products or meat by-products at such outlets and who conducts no slaughtering or preparing of carcasses, meat, meat food products or meat by-products at such outlets other than boning or cutting up of carcasses, and other than grinding, chopping
and mixing operations at such outlets with respect to trim or meat derived only from such boning or cutting up operations; “Custom slaughtered carcass or meat,” “custom slaughtered meat food products” or “custom slaughtered meat by-products” mean, respectively, carcasses, meat, meat food products or meat by-products which were slaughtered, dressed or otherwise processed by a custom slaughterer; “Wholesome” means sound, healthful, clean, and otherwise fit for human consumption; “Unwholesome” means any animal, carcass, meat, meat food product or meat by-product which: (i) Is unsound, injurious to health, contains any biological residue not permitted under reasonable rules and regulations promulgated by the commissioner, or is otherwise unfit for human consumption; (ii) Consists in whole or in part of any filthy, putrid, or decomposed substance; (iii) Was processed, prepared, packed, or held under insanitary conditions so that the same may have become
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contaminated or may have become injurious to health;

or

(iv) Was produced in whole or in part from animals which died other than by slaughter.

(uu) "Adulterated" means any animal, carcass, meat, meat food product or meat by-product:

(i) Which bears or contains any poisonous or deleterious substance, whether added or natural, that may render it injurious to health or unfit for human consumption;

(ii) Concerning which a substance has been substituted, wholly or in part;

(iii) In which damage or inferiority has been concealed in any manner;

(iv) Concerning which any casing has been used which contains any dye or artificial coloring not authorized by reasonable rules and regulations promulgated by the commissioner;

(v) From which a valuable constituent has been in whole or in part omitted or abstracted; or

(vi) To or with which any substance has been added;
mixed or packed for the purpose of increasing its bulk or weight, or so as to reduce its quality or strength, or to make it appear better or of greater value than it is, unless authorized by reasonable rules and regulations promulgated by the commissioner.

(vv) "Licensee" means any person licensed under the provisions of this article.

§19-2B-4. License required for commercial slaughterer, custom slaughterer, commercial processor, custom processor or distributor; application for such license; fees; revocation or suspension; suspension of inspection; establishment number or numbers.

(a) No commercial slaughterer, custom slaughterer, commercial processor, custom processor or distributor shall operate an establishment unless he shall first have obtained a license from the commissioner so to do, which license remains unsuspended and unrevoked. Application for such license shall be made on forms prescribed by the commissioner and shall be accompanied by the fee required in this section. When such a person operates as a commercial slaughterer and also operates as a commercial processor, whether such operations are located on the same or different premises in this state, each
such operation shall be licensed. When such a person operates two or more slaughterhouses not on the same premises in this state, or operates two or more processing plants not on the same premises in this state, a separate license shall be required for each such slaughterhouse and each such processing plant. Each license shall expire on the thirtieth day of June next following its issuance, and the annual fee for each such license shall be based upon the average number of animals slaughtered per year and upon the average finished product poundage processed per year, except that the annual fee for the license of a person who operates solely as a custom slaughterer shall be ten dollars or as a custom processor shall be five dollars or as a distributor shall be five dollars.

<table>
<thead>
<tr>
<th>Average Number of Animals Slaughtered Per Year</th>
<th>Annual Fee</th>
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<tr>
<td>Small 1 - 500</td>
<td>$10.00</td>
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<tr>
<td>Medium 501 - 1000</td>
<td>$25.00</td>
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<tr>
<td>Large 1001 - 5000</td>
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<tr>
<td>Extra Large Over 5000</td>
<td>$75.00</td>
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<tr>
<td>Class</td>
<td>Average Finished Product Poundage Processed Per Year</td>
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<tr>
<td>Small</td>
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<td>Medium</td>
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<tr>
<td>Large</td>
<td>250,001 - 1,000,000</td>
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<tr>
<td>Extra Large</td>
<td>Over 1,000,000</td>
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Before issuing any license required by the provisions of this section, the commissioner shall inspect the applicant's establishment and if the commissioner is satisfied that the establishment is clean and sanitary, is properly equipped, and is in conformity with the provisions of this article and any reasonable rules and regulations promulgated by the commissioner, and if he is further satisfied that the carcasses, meat, meat food products or meat by-products to be sold or offered for sale therefrom through commercial outlets will be wholesome and unadulterated, he shall issue the license. Each license shall specify the location of the establishment at which the licensee shall carry on his operations. The license shall also contain the establishment number assigned by the commissioner.
54. (b) When a licensee changes the location of his establishment, he shall not operate at such new location unless and until his establishment at such new location has been inspected by the commissioner and a new license has been issued, or when a licensee leases, sells, changes name, incorporates or in any other way changes the status of his establishment with relationship to issuance of current license, the new lesor, owner, etc., shall not operate at the location unless and until the establishment at such location has been inspected and approved by the commissioner and a new license has been issued in accordance with the provisions of subsection (a) of this section: Provided, That a fee shall not be charged for such new license during the license year in which the change in location or change in ownership, name or leasing was made.

(c) The commissioner may refuse to grant a license or may suspend or revoke a license issued under the provisions of this section whenever he finds that the applicant's or licensee's establishment, as the case may be, is not clean or sanitary, or is not properly equipped,
or is not in conformity with the provisions of this article or any reasonable rules and regulations promulgated by the commissioner, or if he finds that the carcasses, meat, meat food products or meat by-products to be sold or offered for sale therefrom through commercial outlets are or will be unwholesome or adulterated. Upon the refusal to grant a license, the commissioner shall furnish a written statement to the applicant specifying the grounds for such refusal. No such revocation or suspension of a license shall be effective until the licensee has received written notice thereof, which notice shall specify the grounds for such revocation or suspension. Whenever there is sufficient cause for the revocation or suspension of a license as hereinabove specified, the commissioner may in lieu of such revocation or suspension, suspend inspections at the establishment. Immediately upon suspension of such inspections the commissioner shall give the licensee written notice thereof, and such notice shall contain a recitation of the deficiencies which must be fully and completely corrected before inspections shall be resumed. Upon
receipt of a written statement advising that a license
has been refused or upon receipt of a written notice
of the revocation or suspension of a license, or upon the
suspension of inspections at the licensee’s establishment,
the applicant or licensee, as the case may be, may, in
writing, demand a hearing. The commissioner shall hold
such a hearing within ten days after receipt of such
written demand, in accordance with the provisions of
section nine of this article.

§19-2B-6. Inspection, marking, labeling, branding, etc.; quarantine and segregation; scheduling of operations; disposition of carcasses, etc.; reinspection; health examinations; rejection tags.

(a) The commissioner shall provide ante-mortem
inspection of all animals before they are slaughtered
for human consumption in any establishment under state
inspection.

(b) The commissioner shall provide post-mortem
inspection of all animals slaughtered for human con-
sumption in any establishment under state inspec-
tion.

(c) All inspections under the provisions of this
article shall be performed in accordance with reasonable
rules and regulations promulgated by the commissioner.

(d) The commissioner shall inspect all establishments under state inspection to make certain that they are operating in accordance with the provisions of this article and all reasonable rules and regulations promulgated by the commissioner.

(e) When one inspector is assigned to make inspections at two or more establishments where few animals are slaughtered, or where small quantities of carcasses, meat, meat food products or meat by-products are handled, or where the operations at such establishments are sporadic, and such establishments in any of such cases are in reasonably close proximity to one another, the commissioner, giving full consideration to the convenience of the licensees of such establishments, may by written notice to such licensees specify a reasonable schedule for such operations: Provided, That the commissioner may not require operations other than during normal working hours.

(f) Every conveyance used by any establishment under state inspection, and, notwithstanding the pro-
visions of subsection (a) of section seven of this article, every conveyance used by any slaughterhouse, processing plant or distributor operating under federal inspection or approved by the United States department of agriculture, for the transportation of carcasses, meat, meat food products or meat by-products shall be maintained in a clean and sanitary condition and may be inspected in accordance with the provisions of this article and reasonable rules and regulations promulgated by the commissioner.

(g) The commissioner shall require such quarantine and segregation of animals, carcasses, meat, meat food products and meat by-products in establishments as is deemed necessary to effectuate the provisions of this article.

(h) The head, tongue, tail, thymus glands, viscera, blood and other parts of any slaughtered animal shall be retained in such a manner as to preserve their identity until after the post-mortem inspection has been completed.

(i) Each licensee shall pay for such devices for the
affixing of marks, brands or stamps and for such meat labels as may be prescribed for his establishment by the commissioner. Such devices and meat labels shall be under the exclusive control and supervision of the commissioner. The meat label used by any licensee shall be of the form and size prescribed by reasonable rules and regulations promulgated by the commissioner.

(j) Each carcass that has been inspected and passed in this state by the commissioner shall be marked at the time of inspection with the inspection legend. Any carcass which is not passed shall be marked conspicuously by the commissioner at the time of inspection in the following manner: "W. Va. Inspected and Condemned," or any abbreviation thereof.

(k) Each primal part of a carcass that has been inspected and passed shall be marked with the inspection legend, and each liver, beef heart and beef tongue that has been inspected and passed shall be branded with the inspection legend at the time of final inspection. Meat that has been boned out, cut from primal parts or otherwise changed so that the inspection legend is
no longer plainly visible, and meat food products and
meat by-products that are too small to be marked with
the inspection legend shall be packed in closed con-
tainers to which shall be affixed the meat label indicating
that the meat, meat food products or meat by-products
contained therein have been inspected and passed. Upon
removal of the contents of such containers bearing
such label, the label shall be defaced to prevent its
reuse.

(l) All carcasses, meat, meat food products and meat
by-products which have been derived from an animal
slaughtered by a custom slaughterer or processed by
a custom slaughterer or custom processor shall be
marked "W. Va. Custom Slaughtered" in letters not less
than three-eighths of an inch in height.

(m) Each official inspection mark shall contain the
establishment number of the establishment involved,
unless otherwise authorized by rules and regulations
promulgated by the commissioner.

(n) The commissioner is hereby authorized and em-
powered to seize and destroy (i) any animal to be
slaughtered in this state and thereafter sold or offered for sale through a commercial outlet or distributor which cannot be made fit for human consumption; (ii) any animal, carcass, meat, meat food product or meat by-product slaughtered or processed in this state in violation of the provisions of this article or any reasonable rules and regulations promulgated by the commissioner (iii) any carcass, meat, meat food product or meat by-product that does not bear an inspection legend or meat label provided for by this article or which has not been inspected and passed under federal inspection or approved by the United States department of agriculture and which is intended to be sold or offered for sale through a commercial outlet or distributor; and (iv) any animal, carcass, meat, meat food product or meat by-product which is unwholesome or adulterated. Where appropriate the commissioner may in lieu of destruction as aforesaid denature, decharacterize, mutilate or slash any carcass, meat, meat food product or meat by-product intended to be sold or offered for sale through a commercial outlet or distributor. The com-
missioner is also authorized and empowered to seize and retain under a retained tag any animal, carcass, meat, meat food product or meat by-product until the commissioner determines to destroy, denature, decharacterize, mutilate, slash or release the same. Whenever the commissioner is authorized or empowered to take any of the actions specified in this subsection, he may order and direct the person having custody or possession of such animal, carcass, meat, meat food product or meat by-product, or the licensee of the establishment in which it is found, to be responsible for the disposition thereof, as well as any necessary storage, handling or other incidentals related thereto. Such disposition shall be carried out only under the direction and supervision of the commissioner.

(o) Whenever practicable, the commissioner shall forgo the actions authorized in the immediately preceding subsection and permit reprocessing if such reprocessing will correct or eliminate the conditions which would have justified any of such actions. Any such reprocessing in this state shall be under the supervision of the commissioner.
(p) Whenever the commissioner has good cause to believe that any carcass, meat, meat food product or meat by-product whether fresh, frozen, cured or otherwise prepared, and which is intended to be sold or offered for sale through a commercial outlet or distributor, may be unwholesome or adulterated or otherwise injurious to health, he may inspect or reinspect the same under the provisions of this article and any reasonable rules and regulations promulgated by him, even though such carcass, meat, meat food product or meat by-product may have been previously inspected and passed.

(q) No licensee shall employ in any establishment any person who has any communicable disease or infected wounds or who is a carrier of any communicable disease. To enforce the provisions of this subsection, the commissioner may require any employee or prospective employee to submit to a health examination by a physician and furnish to the commissioner a certificate from such physician concerning his findings. The cost of conducting such examination and furnishing such
Whenever the commissioner inspects any room, compartment, equipment or utensil in any establishment subject to state inspection and finds the same not to be clean and sanitary or finds the same to be otherwise unsuitable for the slaughtering or processing operations carried on in such establishment, he shall affix thereto a rejection tag or rejection notice. No such rejected room, compartment, equipment or utensil shall be used until the deficiencies requiring such rejection shall have been fully and completely corrected. No person other than the commissioner shall remove any such rejection tag or notice.

When any animal, carcass, meat, meat food product or meat by-product has been inspected hereunder, the appropriate official inspection mark shall be affixed thereto, and no person shall remove the same unless authorized so to do by the commissioner.
§19-2B-7. Exclusion of slaughterhouses and processing plants under the supervision of or approved by the United States department of agriculture; exclusion of farmers.

(a) The provisions of this article shall not apply to any slaughterhouse or processing plant operating under the Federal Meat Inspection Act or the Federal Poultry Products Inspection Act, or approved by the United States department of agriculture.

(b) For the purposes of this subsection, a farmer is a person who owns or operates a farm or farms in this state and does not engage, directly or indirectly, in the business of buying or selling any animals, other than as a part of his normal farming operations, and does not engage in any business that involves the slaughtering or processing of any animals other than those owned by him, or the buying or selling of any carcasses, meat, meat food products or meat by-products of any animals other than those owned by him. Without being licensed under the provisions of this article, a farmer may slaughter or process or cause to be slaughtered or processed his own animals on his own premises, on the premises of another person or in the establishment of
20 a West Virginia licensed commercial or custom slaugh-
21 terer or a West Virginia licensed commercial or custom
22 processor, and a farmer shall not sell or trade such
23 animals or the carcasses, meat, meat food products or
24 meat by-products thereof to commercial dealers or dis-
25 tributors.


1 (a) The provisions of this article shall not apply to:
2 (i) Any commercial dealer, provided all carcasses,
3 meat, meat food products and meat by-products sold or
4 offered for sale by such dealer were slaughtered and/or
5 processed in commercial establishments under state
6 inspection or have been inspected and passed by the
7 United States department of agriculture or have been
8 approved by the United States department of agricul-
9 ture and shall be identified and labeled as prescribed
10 by reasonable rules and regulations promulgated by the
11 commissioner;
12 (ii) Any educational activities relating to animals,
13 carcasses, meat, meat food products or meat by-products
14 and conducted by 4-H clubs, Future Farmers of America,
Future Homemakers of America;

(iii) The West Virginia University meat laboratory.

(b) The commissioner may by reasonable rules and regulations exempt any other activity, any animal, carcass, meat, meat food product or meat by-product, or any person, from all of the provisions of this article or one or more of such provisions.

(c) The commissioner may by reasonable rules and regulations exempt a licensed custom slaughterer from the requirements of this article relating to ante-mortem and post-mortem inspection.

(d) The commissioner may by written order to the person concerned suspend, limit or terminate any exemption provided under this section or granted by rules and regulations authorized under subsections (b) and (c) thereof when he determines that such suspension, limitation or termination is necessary to effectuate the purposes of this article: Provided, That the person affected by any such suspension, limitation or termination may demand a hearing in writing which shall be held by the commissioner in accordance with the provisions
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§19-2B-10. Additional prohibitions.

1 In addition to any other prohibitions contained in this article, it shall be unlawful:

3 (a) For any person to operate any establishment under state inspection which is not clean and sanitary;

(b) To slaughter any unwholesome or adulterated animal intended to be sold or offered for sale through a commercial outlet or distributor;

(c) To sell or offer for sale through a commercial outlet or distributor any carcass, meat, meat food product or meat by-product for human consumption which is un-wholesome or adulterated;

(d) To slaughter for human consumption any animal tagged or permanently identified as "W. Va. Condemned," or abbreviation thereof;

(e) To process, sell or offer for sale for human consumption any carcass, meat, meat food product or meat by-product which is mislabeled with intent to deceive or
which is marked "W. Va. Inspected and Condemned," or abbreviation thereof;

(f) To process in an establishment under state inspection for sale through any commercial outlet or distributor any carcass, meat, meat food product or meat by-product intended for human consumption and derived in whole or in part from any calf, pig, kid or lamb which is so immature as to be lacking in nutritional value;

(g) To knowingly or intentionally expose any carcass, meat, meat food product or meat by-product in any establishment under state inspection to insects, live animals or any contamination;

(h) To add kangaroo meat, horse meat, mule meat or other equine meat to any animal meat, or meat food product or meat by-product derived from animals and to be sold or offered for sale through commercial outlets or distributors for human consumption;

(i) To remove any hide, skin or any other part of an unborn or stillborn animal in the confines of a room in an establishment where any animals, carcasses, meat, meat food products or meat by-products are slaughtered or
processed, as the case may be, or to be sold or offered for
sale through a commercial outlet or distributor;

(j) To process for human consumption in any estab-
lishment subject to state inspection any carcass, meat,
meat food product or meat by-product derived from any
animal which died other than by slaughter;

(k) To transport to any commercial outlet or distrib-
utor for the purpose of being sold or offered for sale
therein, any carcass, meat, meat food product or meat
by-product which is not marked, branded or stamped as
having been inspected and passed by the commissioner or
by the United States department of agriculture or which
has not been approved by the United States department of
agriculture;

(l) For any commercial outlet or distributor to re-
ceive, for the purpose of being sold or offered for sale
therein, any carcass, meat, meat food product or meat
by-product which is not marked, branded or stamped as
having been inspected and passed by the commissioner
or by the United States department of agriculture or
which has not been approved by the United States de-
partment of agriculture;
(m) To slaughter any horse, mule or other equine in any establishment under state inspection in which animals are slaughtered for human consumption for the purpose of being sold or offered for sale through commercial outlets;

(n) To bring any kangaroo meat, horse meat, mule meat or other equine meat into any establishment under state inspection where animal carcasses, meat, meat food products or meat by-products are processed for human consumption for the purpose of being sold or offered for sale through commercial outlets;

(o) To transport, process, sell or offer for sale any kangaroo meat, horse meat, mule meat or other equine meat within this state for human consumption unless it is conspicuously and plainly identified or stamped as such;

(p) For any person to use an establishment number not assigned to him or to use an establishment number in connection with operations concerning which a different establishment number was assigned by the commissioner;
(q) To remove from any article any retained tag affixed by the commissioner, unless such removal is authorized by him;

(r) For a licensee to use any container bearing an official inspection mark unless it contains the exact carcass, meat, meat food product or meat by-product which was in the container at the time such contents were inspected and passed: Provided, That such a container may be otherwise used if such official inspection mark thereon is removed, obliterated or destroyed, and such other use is authorized by reasonable rules and regulations promulgated by the commissioner;

(s) For any person, other than the commissioner, to process, keep or use, except as authorized by the commissioner, any meat label or device for the affixing of a mark, brand or stamp prescribed for inspection purposes hereunder;

(t) For any person, with intent to deceive, to possess, keep or use any meat label, mark, brand or stamp similar in character or import to an official meat label, mark, brand or stamp prescribed by the commissioner hereunder or to
an official meat label, mark, brand or stamp used by the
United States department of agriculture;
(u) To falsely make, falsely issue, falsely publish,
alter, forge, simulate or counterfeit any inspection certifi-
cate, memorandum, meat label, mark, brand, or stamp,
or device for making an inspection mark, brand or stamp,
or to possess, keep or use the same, with intent to de-
ceive;
(v) For any person to refuse to permit the commis-
sioner to enter and inspect at any time, upon presenta-
tion of appropriate credentials, an establishment under
state inspection, or to interfere with any such lawful
entry or inspection;
(w) For any person to refuse to permit the commis-
sioner, upon presentation of appropriate credentials, to
examine and copy the records described in section five
of this article;
(x) For a person to prevent or fail to decharacterize or
denature carcasses, meat or meat food products as pre-
scribed by reasonable rules and regulations promulgated
by the commissioner;
(y) For a person to transport offal, blood, or inedible and condemned parts of animal bodies from slaughterhouses, meat processing plants or other related industries: 

Provided, That such products may be transported if placed in suitable containers with tight covers, or watertight tanks so as not to contaminate the public highways or private roadways while going to or from the points of pickup;

(z) For a person to store offal, blood, or inedible and condemned parts of animal bodies from slaughterhouses, meat processing plants or other related industries during interim transit movement in refrigerated warehouses, food lockers or other related industries: Provided, That such products may be otherwise stored if properly marked "NOT FOR HUMAN FOOD" "FOR ANIMAL FOOD ONLY" and identified as approved products to be used for animal food;

(aa) For a person knowingly to purchase or deliver, or both, a 4-D animal to an establishment in this state;

(bb) For any person to transport carcasses, meat, meat food products or meat by-products that are intended for human consumption in a manner which would permit the products to become unwholesome or adulterated.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Tompoe
Chairman Senate Committee

Clayton L. Davidson
Chairman House Committee

Originated in the House.

Takes effect July 1, 1968.

John W. Ney
Clerk of the Senate

C. W. Blankenship
Clerk of the House of Delegates

Howard W. Cassady
President of the Senate

W. Lamar Titcomb
Speaker of the House of Delegates

The within approved this the 14th day of February, 1968.

Hulet C. Smith
Governor
PRESENTED TO THE
GOVERNOR
Date 2/12/68
Time 3:00 P.M.

RECEIVED
Feb 13 1 72 PM '68
CHIEF CLERK
SECRETARY OF STATE, WEST VIRGINIA