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**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
CHAPTER 37. FOOD SAFETY**

SUBCHAPTER 3. MEAT INSPECTION

PART 1. GENERAL PROVISIONS

35:37-3-1. Incorporation by reference of federal meat inspection regulations

The Mandatory Meat Inspection Regulations found in Title 9 of the Code of Federal Regulations (CFR) (~~2006~~2007 Revision), Parts 301 to 391; 416; 417; 424; 430; 441; and 500 for the United States Department of Agriculture (USDA) as promulgated and amended in the Federal Register, are hereby adopted in their entirety with the exception of the deleted regulations specified in 35:37-3-3. Whenever an official mark, form, certificate or seal is designated by federal regulations, the appropriate Oklahoma Department of Agriculture, Food, and Forestry form, certificate or seal shall be substituted.

35:37-3-3. Deleted regulations

The following sections of the Federal regulations governing the mandatory meat inspection of the USDA incorporated by reference under 35:37-3-1 are deleted and are not rules of the Oklahoma Department of Agriculture, Food, and Forestry: 9 CFR 302.2; 303.1(c); 304.1; 304.2(a); 304.2(c); 305.2(b); 307.4; 307.5; 307.6; 316.12; 316.13(c); 317.5; 317.7; 317.9; 317.13; 318.8; 318.12; 321; 322; 327; 329.6; 329.7; 329.8; 329.9; 331; 335; 351; 352; 354; 355; 362; 381; 390; 391; and 590 (~~2006~~2007 Revision).

SUBCHAPTER 5. POULTRY PRODUCTS INSPECTION

PART 1. GENERAL PROVISIONS

35:37-5-1. Definitions and incorporation by reference of federal poultry inspection regulations

(a) The Mandatory Poultry Inspection Regulations found in Title 9 of the Code of Federal Regulations (CFR) (~~2006~~2007 Revision), Parts 381; 416; 417; 424; 430; 441; and 500 for the United States Department of Agriculture (USDA) as promulgated and amended in the Federal Register, are hereby adopted in their entirety with the exception of the deleted regulations specified in 35:37-5-2. Whenever an official mark, form, certificate or seal is designated by federal regulations, the appropriate Oklahoma Department of Agriculture, Food, and Forestry mark, form, certificate or seal shall be substituted.

(b) All words and terms defined or used in the federal regulations incorporated by reference by the Department shall mean the state equivalent or counterpart to those words or terms.

(c) The following terms, when used in this subchapter, shall have the following meaning unless the context clearly indicates otherwise:

- (1) "Act" means the Oklahoma Poultry Products Inspection Act.
- (2) "Director" means the Director of Meat Inspection.

(3) "Poultry" means any domesticated bird, whether live or dead, including chickens, turkeys, ducks, geese, guineas, ratites, or squabs (also known as young pigeons from one to about thirty (30) days of age).

(4) "Poultry product" means any poultry carcass, part, or product made wholly or in part from any poultry carcass or part that can be used as human food, except those exempted from definition as a poultry product in Title 9 of the Code of Federal Regulations (CFR), Part 381.15. This term shall not include detached ova.

(5) "Poultry byproduct" means the skin, fat, gizzard, heart, or liver, or any combination of any poultry for cooked, smoked sausage.

35:37-5-2. Deleted regulations and exemptions

(a) The following sections of the Federal regulations governing the mandatory poultry inspection (9 CFR, Part 381 et seq.; 416 et seq.; 417 et seq.; 424 et seq.; 441 et seq.; and 500 et seq.), (~~2006~~2007 Revision) of the USDA incorporated by reference under 35:15-27-1 are deleted and are not rules of the Oklahoma Department of Agriculture, Food, and Forestry: 381.6; 381.10(a)(2), (5), (6), and (7); 381.10(b); 381.10(d)(2)(i); 381.13(b); 381.16; 381.17; 381.20; 381.21; 381.37; 381.38; 381.39; 381.96; 381.101; 381.103 through 381.112; 381.123(b)(1) and (4); 381.132(c); 381.133; 381.179; 381.185; 381.186; and 381.195 through 381.225.

(b) The provisions of this Act and rules do not apply to poultry producers who slaughter their own poultry raised on their farm, and each of the following apply:

(1) The producers slaughter no more than two hundred and fifty (250) turkeys or their equivalent with a ratio of four (4) birds of other species, excluding ratites, to one (1) turkey during a calendar year;

(2) The producers do not engage in buying or selling poultry products other than those produced from poultry raised on their own farms;

(3) The poultry and poultry products do not move in commerce. Poultry producers are prohibited from selling or donating uninspected poultry products to retail stores, brokers, meat markets, schools, orphanages, restaurants, nursing homes, and other similar establishments and are prohibited from sales or donation of uninspected poultry through any type of retail market or similar establishment owned or operated by the poultry producer;

(4) The producers submit a certificate of registration to the Board;

(5) The poultry is healthy, the poultry is slaughtered and processed under sanitary standards, practices, and procedures that result in the preparation of poultry products that are sound, clean, and fit for human food, and each carcass, part, or poultry product bears a label that lists the customer's name, the producer's name, and the following statement, "This poultry product has not been inspected and passed";

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(6) The poultry is sold directly to the household consumer and transported by either the household consumer or the poultry producer without third-party intervention or intervening transfer or storage, and is maintained in a safe and unadulterated condition during transportation; and

(7) The poultry producers, allow an authorized agent of the Board access to their facilities and an opportunity to examine records at all reasonable times upon notice.

**35:37-13-3. Terms for interfacing with the PMO and the DMO
[REVOKED]**

~~For purposes of interfacing with the PMO and the DMO, the following terms apply:~~

~~(1) Entities designated by the symbol for footnote 1 in the introduction (page iv of the PMO) is synonymous with the State Board of Agriculture. In Item 7r, "Toilet" of Section 7 (pages 29 and 30 of the PMO) is synonymous with the State Board of Health. The entities designated by the symbol for footnote 1 in Section 2, "Adulterated or Misbranded Milk or Milk Products" (page 36 of the PMO), Section 3, "Permits" (page 35 of the PMO), Section 5, "Inspection of Dairy Farms and Milk Plants" (page 10 of the PMO), and Section 11, "Milk and Milk Products Which May Be Sold" (page 92 of the PMO) are synonymous with the State of Oklahoma.~~

~~(2) Ordinance is synonymous with these rules.~~

~~(3) Regulatory agency is synonymous with the Oklahoma Department of Agriculture, Food, and Forestry.~~

**APPENDIX A. CHEMICAL, BACTERIOLOGICAL, AND TEMPERATURE STANDARDS
FOR MILK AND MILK PRODUCTS [REVOKED]**

APPENDIX A. CHEMICAL, BACTERIOLOGICAL, AND TEMPERATURE STANDARDS
FOR MILK AND MILK PRODUCTS [NEW]

Individual Distributed Raw Milk and Raw Milk for Pasteurization, Aseptic Processing or Manufacturing	Temperature	Cooled to 7°C (45°F) or less within two hours after milking, provided that the blend temperature after the first and subsequent milkings does not exceed 10°C (50°F).
	Bacterial Limits (Grade A)	Individual-distributed raw milk not to exceed 35,000 per ml. Individual producer milk not to exceed 100,000 per ml prior to commingling with other producer milk. Not to exceed 300,000 per ml as commingled milk prior to pasteurization.
	Bacterial Limits (Manufacture Grade) (Note: Manufacture grade raw milk is raw milk that fails to comply with Grade A raw milk standards.)	Individual producer milk for manufacturing not to exceed 500,000 per ml prior to commingling with other producer milk. Not to exceed 1,000,000 per ml as commingled milk prior to manufacturing.
	Drugs	No zone greater than or equal to 16 mm with the Bacillus stearothermophilus disc assay method. No positive results on drug residue detection methods as referenced in Section 6 Laboratory Techniques.
	Somatic Cell Count (Grade A)	Individual producer milk: Not to exceed 750,000 per ml. Goat milk: 1,000,000 per ml.
	Somatic Cell Count (Manufacture Grade) (Note: Manufacture grade raw milk is raw milk that fails to comply with Grade A raw milk standards.)	Individual producer milk: Not to exceed 750,000 per ml. Goat milk: 1,000,000 per ml.

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Grade A Pasteurized Milk and Milk Products and Bulk Shipped Heat Treated Milk Products	Temperature	Cooled to 7°C (45°F) or less and maintained thereat.
	Bacterial Limits	20,000 per ml (except cultured products).
	Coliform	Not to exceed 10 per ml.
	Phosphatase	Less than 1 microgram per ml by the Scharer Rapid Method (less than 500 milliunits/L by Fluorometric Procedure) or equivalent.
	Antibiotic	No zone greater than or equal to 16 mm with the Bacillus stearothermophilus disc assay method.
Grade A Aseptically Processed Milk and Milk Products	Temperature	None.
	Bacterial Limits	No growth by test specified in Section 6.
	Antibiotics	No zone greater than or equal to 16 mm with the Bacillus stearothermophilus disc assay method.
Ungraded (Manufacture Grade) Milk Products	Bacterial Limits (except cultured products)	Frozen dessert - 100,000 per ml. Soft-serve mix - 30,000 per ml.
	Coliform Limits	Frozen dessert - not to exceed 20 per ml. Soft-serve mix - not to exceed 10 per ml. Cottage cheese - not to exceed 10 per ml.
	Butterfat	Must match label.

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