

many of them and they should be located strategically for the convenience of their students. Minnesota is not the only place where these colleges are developing rapidly. There are now nearly 850 two-year colleges in the United States, and they are being created at the rate of one per week.

Partly this is happening everywhere -- including Minnesota -- because we have a huge population of young people who cannot be accommodated physically by the existing college structures. But partly it is happening because of a growing feeling that education beyond the high school should be located conveniently for all -- that the educational needs of the society demand that most young people have more education than the twelve years we have been providing, and that they should be able to obtain this education as conveniently as possible. We now are behaving as if we felt that colleges should come to our young people instead of young people going to our colleges.

Not too many years ago, this would have been impossible. But today, even in a state with the geography of Minnesota and the sparsely settled nature of many of its areas, transportation is such that the borders of a

community have been greatly expanded. This has made it possible in Minnesota for the State Junior College Board to prepare a plan for location of two-year colleges that puts the great majority of our people within commuting distance of higher education. And these schools will come to these communities, for our commitment to increased education is clear.

When they do come, these two-year colleges have the potentiality to interact with their communities in more than the traditional ways that educational institutions change communities.

If we put these two characteristics together -- the unique commitment of the two-year college to respond to the local situation and the convenient location of these colleges for the great majority of our citizens -- the possibilities expand tremendously.

Within our state we will soon have the opportunity for community colleges to serve as unique social institutions, as community resources to unite separated citizens and carry on a continuous seminar on the needs and opportunities of people who live together.

I see no reason that this community college and the others in this state should not become centers of community action -- organizations that concern themselves with general community needs in a pattern similar

to that served by the Community Action Programs of the war on poverty.

Perhaps they can become resources for the Community Action Programs that now exist, but this is much too narrow a conception of what it is possible to do. There are all kinds of poverty around us besides economic poverty, and the projected two-year college program in Minnesota provides an opportunity to deal with them.

Why shouldn't this community college and others like it become the instrument for analyzing the unique individual and coordinating needs of governments in its suburban setting -- or rural setting as the case may be?

Why shouldn't this community college examine the needs and wishes of the citizens of this community for continuing education for adults -- for the study of international relations, for home and neighborhood improvement, for additional technical training, for the study of art and literature and music?

Why shouldn't this community college become a resource for citizens, young and old, who need help in adjusting to life in the suburbs -- who need to learn how to buy, how to borrow, how to get along with husbands and children and neighbors and village councils?

Why shouldn't this community college study the transportation needs of a community where the great majority of its citizens commute to work on inadequate streets and highways and travel miles to shopping centers?

Why shouldn't this community college become the place where the solution is finally found to the needs of racial balance in the metropolitan community -- to plan for acceptance and educate citizens in the human relations problems that we are all going to face with greater and greater intensity?

Why shouldn't this community college become the place where people learn to grow old gracefully and retire without tension? This week I have conducted hearings in my subcommittee on Retirement and the Individual.

I am frightened by what I am finding out about our lack of preparation of people for a period which is going to become a larger and larger portion of our life span. In a young community, it is easy to ignore age because there is so little of it to be seen around; but it is coming and it is going to swamp us if we are not ready for it.

This is only a sample of what a community college can do if it sets out to become truly a community

resource. And it can adjust to any kind of local situation because it has that flexibility built into its conception. And it can deal with these problems because it is convenient to the area it serves.

Last fall I heard a prediction that by 1985, one-third of our population between the ages of 20 and 30 will be unemployed, if we use present definitions of employment as a criterion for judgment. Community junior colleges are a way of dealing with that problem by extending education beyond the years that we have traditionally established.

But if they see their function entirely as an educational resource for 18-year-olds and 19-year-olds who go on to universities or jobs, they will be missing a great opportunity. These colleges can become community centers that deal with the new kind of life we are all facing, that recognize that the day is coming when a 65-year-old man or woman will be physiologically equivalent to a 45-year-old man or woman today and will try to do something to wipe out the horrible poverty of spirit that such a citizen may face.

Those of you who are graduating tonight are the first formal products of a new experiment in

education that can help to transform community life. Wherever you go from here, I hope you will remember all of the possibilities that this experiment can produce.

And I hope that you will watch this community college grow, and help it grow, so that wherever you may spend your life in Minnesota or elsewhere, community resources like Anoka-Ramsey Junior College will continue to serve you, your families, and your neighbors as you are entitled to be served and as community colleges are uniquely equipped to do.



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Senate

Mr. MONDALE.

Mr. President, the measure we are considering today is based on the premise that the American consumer has a right to expect that all meat and meat products offered for sale in this country are safe and clean.

Unfortunately, as we have learned in recent weeks, this is not the case. Sixty years after publication of Upton Sinclair's expose of the packing industry and enactment of the Federal Meat Inspection Act, Americans have learned that substantial quantities of meat and meat products escape Federal inspection, and that they are still in daily danger of eating filthy or diseased meat.

They have learned that Federal inspection applies only to meat which is sold across a State line and that some 13 billion pounds—15 percent of all slaughtered meat and 25 percent of all processed meat—escapes Federal inspection and is subject only to lax State inspection—if at all. Eight States have no inspection law whatsoever, while most of the remainder have either voluntary inspection laws or mandatory laws which are not adequately enforced. Thus, of the 19 million cattle slaughtered outside Federal inspection each year, more than 10 million head go without any inspection on any level of government. Of the 8.75 billion pounds of meat which is processed outside of Federal inspection, nearly 5 billion pounds receives no inspection whatsoever.

The significance of these facts has been brought home in recent weeks with the release of two U.S. Department of Agriculture surveys which revealed filthy conditions and parasite-infested meat in many packinghouses not covered by Federal inspection, and by testimony from Federal inspection officials that there is a thriving business in so-called "four-D" meat—meat derived from dead, dying, diseased, or disabled animals—which is processed through intrastate packinghouses because it would be rejected by Federal inspectors.

Most of these facts have become publicly known over the past 4 months, and as a result we have progressed in that time from no legislation whatsoever to what I regard as a very strong and comprehensive bill to correct this deplorable situation. The measure before us today includes important segments and features of the House-passed Purcell bill and the legislation introduced in the Senate by Senator MONTAÑA, as well as some of the concepts embodied in a measure which I introduced.

It is a strong bill, and I am proud to have played a role in shaping it. And its progress and development over the past 4 months should stand as a warning to those who dismiss the growing strength of the consumer lobby—especially when that strength is reinforced by the voice of a free press.

Mr. President, I have already commented on the magnificent work and the performance of the Senator from New Mexico, whose hard work and energy played such a vital role in enabling us to reach this point. Nor can we overlook the Committee on Agriculture and Forestry, which responded under the leadership of its chairman, the Senator from Louisiana (Mr. ELLENDER), to the legitimate concerns of American consumers by recommending a bill that is effective and responsible.

Special praise is deserved by the acting chairman of the subcommittee, the Senator from Virginia (Mr. BYRD), who is now the presiding officer, who with such patience and maturity permitted the committee to explore all aspects of this problem so that we might develop a measure responsive to the public interest.

Nor can I pass without commending the statements and support of the President on this issue. His strong support was absolutely essential. His special assistant, Miss Furness, was an effective and forceful advocate for strong legislation.

The bill pending before us updates and improves the existing law covering meat inspection in the some 2,000 plants under Federal jurisdiction today. In addition, it guarantees that within 2 or 3 years, the remaining 15,000 plants in the country will be inspected by the Department of Agriculture, or by a State system whose standards are at least equal to Federal standards.

And finally, during the next 2 or 3 years, when the States are attempting to bring their own meat inspection systems up to par with the Federal system, we have incorporated important protections for the consumer in the bill. There is a provision which will permit the Secretary of Agriculture to take action against plants which endanger public health. In addition, the bill opens the door for any Governor to bring Federal meat inspection into his State, even though the State may later reassert its jurisdiction over intrastate plants. And finally, there is provision in the bill for constant supervision by the Secretary over all plants, with a right of access, a right to examine pertinent records, and a right to take reasonable samples, in order to guarantee a high degree of protection for consumers. The Secretary must make annual, detailed public reports to the Agriculture Committees of the Senate and House, reporting on the overall operation of the Wholesome Meat Act. It is specifically required that this report contain detailed information on State inspection systems and conditions in State plants not subject to Federal inspection. At this point I ask unanimous consent that two letters commenting on the authority of the Secretary to carry out these requirements of reviewing and reporting be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without object, it is so ordered.

(See exhibit 1.)

Mr. MONDALE. Mr. President, we have taken the time in the Senate Agriculture Committee to do a good job on this bill. It is a good bill. We have not compromised on the public health, and have not turned our backs on the consumer. Nor have we acted irresponsibly with respect to the States and the industry.

It was the overriding concern of the committee that the consumer be protected against filthy and diseased meat, against meats adulterated by poisonous or dangerous additives, and against mislabeled products, or meat stuffed with cheap fillers such as water, cereals, non-fat dry milk, or the like.

As things now stand, the consumer simply cannot protect himself. He can be confident in a supermarket that the meat he is buying was slaughtered and processed under Federal standards or the equivalent only if he can find the USDA "inspected and passed" label. He does not have even that possibility in a restaurant.

We learned during the Senate hearings that the normal rules of consumer self-help are of no value whatsoever in the absence of the Federal stamp of approval. First, modern chemicals and drugs completely nullify the usual tests of sight and smell with respect to meat. Injections of antibiotics, sulfites and nitrites, and ascorbate—which I call a sort of healthy formaldehyde—cancel out the smell and appearance of decaying or unhealthy meat.

Second, it is no guarantee that meat is federally inspected to shop only in large, nationally known retail chain stores. A 1967 USDA survey of intrastate meat products purchased in regular grocery stores and supermarkets—including such national chains as Kroger, Safeway, and A. & P.—showed that only 39 of 162 meat products tested met all Federal meat inspection requirements. The remaining 123 samples showed a total of 259 violations of Federal standards is due to excessive water, excess nonmeat fillers and use of various additives such as ascorbate, phosphates and nitrites in products where they are prohibited by Federal standards.

Third, brand names and labels provide no protection. The largest meat packing companies in the Nation have established plants doing business only within a State and therefore escape the stringent requirements of Federal meat inspection which products from their other operations must undergo. For example, the meat industry's big three—Swift & Co., Wilson & Co., and Armour & Co.—have admitted operating more than 100 intrastate meat plants which slaughter, process, and prepare millions of pounds of meat each year without Federal inspection. And some of these operations were among those cited for unsanitary conditions in USDA's 1962 and 1967 surveys of intrastate plants. Further, USDA officials testified before the Senate Agriculture Committee that the same brand names and labels are used for meat products processed in an intrastate plant as are used for the same item emanating from a federally inspected plant. Thus, even with nationally advertised brand name items, the consumer must look for a Federal inspection stamp.

At this point, Mr. President, I think we must ask why major packing companies establish intrastate operations and why intrastate operators are so opposed to Federal inspection and go to such lengths to preserve their intrastate status as to ignore large segments of their national markets. For example, Federal inspectors advised us of one intrastate plant which only sold its products in part of the city where it was located because the community in question straddled a State line and the rest of the city was in another State. Another plant located in the corner of a western State, ignored markets in three other States less than 25 miles away, but did substantial business 450 miles away still inside its own State boundaries. In addition to giving up sizable segments of their natural markets, intrastate concerns are also deprived of other important business such as selling to the Armed Forces, to Federal agencies or to federally supported programs such as the school lunch program, because of their lack of Federal inspection.

It was made clear during the hearings that this practice is supported by economic advantage. The intrastate meat operator has a distinct economic advantage over his interstate competitor who must meet Federal standards regarding ante mortem and post mortem inspection, plant sanitation, use of additives or cheap fillers, and false or deceptive labeling, because the intrastate operator can buy inferior animals, dress up bad meat with chemicals, and use cheap fillers with impunity.

As one newspaper put it in a November 15, 1967, editorial:

The obvious answer is that its more profitable to sell substandard meat from unsanitary plants than to meet federal requirements for cleanliness and quality.

Ralph Nader, to whom the Nation's consumers owe another debt for his efforts in behalf of clean meat, put it even more succinctly with the comment:

Bad meat is good business.

CONSUMERS

Mr. President, the economic advantage which makes "bad meat good business" was created by Congress in 1907 when it passed the Meat Inspection Act requiring compliance with Federal standards for all meat sold across State lines.

The consumers of America are now demanding that Congress eliminate this economic advantage by requiring that all meat sold in this country is safe and clean.

The revelations of the last few weeks, and the information received in the hearings, have provoked a deep sense of outrage on the part of consumers. A Minnesota poll taken a month ago showed that 87 percent of all Minnesotans—and 93 percent of all housewives in the State—favor immediate inspection of all meat by the Federal Government. The strong demand for Federal inspection to assure clean meat which this newspaper poll represents is supported by other polls, newspaper editorials, and letters from consumers themselves. For example, in the past 2 weeks alone, I have received letters from across the Nation overwhelmingly demanding strong Federal meat inspection legislation. Also within the past 2 weeks, a surge of editorials and two other polls which have come to my attention show the same intensity of feeling. A telephone poll by KSTP radio-TV in Minneapolis-St. Paul showed that 75 percent favor Federal inspection of all meat while a similar poll conducted by WGN-TV in Chicago indicated that 82 percent favor Federal inspection while only 4 percent opposed. That represents a margin of better than 20 to 1 for Federal inspection of all meat and meat products. I ask unanimous consent that the Minnesota poll on meat inspection and several of the many newspaper editorials demanding strong legislation be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.
(See exhibit 2.)

Mr. MONDALE. Mr. President, well might we insist upon immediate federalization. The States have had nearly 60 years to shoulder their responsibility for the health and protection of their citizens and have nearly nothing to show for it. Consumers in the States are left to the mercies of a hodgepodge of inadequate, voluntary, or nonexistent meat inspection systems, none of which fully matches the Federal system.

This measure was unanimously agreed to by the Committee on Agriculture and Forestry composed of Republicans and Democrats. The proposal is now endorsed by the American Meat Institute, although my own Governor of the State of Minnesota has come out strongly opposed to effective meat inspection. Therefore, it is essential that the pending measure be adopted.

Surveys by the Federal meat inspectors in 1962 and again in 1967 revealed horrifying and revolting examples of the conditions under which billions of pounds of meat are slaughtered and processed, and thereafter sold to unsuspecting consumers. In order that the Congress have some idea of the conditions in some nonfederally inspected plants, I ask unanimous consent that the so-called Clarkson report, January 1963, together with excerpts from the USDA State surveys in 1962 and 1967 be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. MONDALE. Mr. President, but the committee decided that we ought to give one more chance to maintain a joint Federal-State system. I agree with that judgment. Even if my bill had become law—and it provided for immediate federalization of meat inspection—we would have had a 1- or 2-year lag until sufficient personnel were hired and trained to do the painstaking task that is required of them. In this bill, we have provided both a carrot and a stick to the States. It was not our intent to punish the States or arbitrarily decide that they are now incompetent to do the job. Our objective is to insure that the meat the consumer buys is clean and wholesome—and it makes little difference who does the inspection as long as we are absolutely sure that it is done in an adequate and comprehensive fashion.

In short, this measure will assure the American public of protection for all meat and meat products sold in this country as quickly as can possibly be done—but only if it is enacted into law immediately—only if it is enacted without weakening those provisions designed to protect the public health during the 2- to 3-year period when States are bringing in systems at least equal with the Federal system, and only if adequate funds are appropriated.

While I believe this bill is very strong and substantial, it is in an important sense a bare minimum. As it stands before the Senate now, it can be weakened only at the risk of jeopardizing the public health. We must stand firm and insist that there be no compromise on the issue of the public health.

The very worst thing the Congress can do in meat inspection is to pass a nominal or "showpiece" bill, which will mislead the consumer into believing that his health and that of his family is protected. It would be quite as wrong to pass a good bill, and then fail to appropriate the funds necessary to carry it out. If by failing to insist upon effective legislation and adequate funds we induce an unjustified sense of complacency in the consumer, it would be far better to have no legislation at all so that the consumer would be on guard.

Mr. President, before I close, I would like to make a comment about the support of the American Meat Institute for this proposal. There are many provisions of this bill which the Institute opposed and fought vigorously against, but realizing that legislation must be passed to assure clean meat for the consumers of this country, the Institute nevertheless is willing to stand up and support this measure. While I have had my difficulties with the industry and while we have had many differences of opinion, I must nevertheless express my admiration to them for coming out, despite their reservations, and asking that this measure, in its present form, be passed. We have had our arguments, but I think we must pay proper deference and respect to an industry which, even though reluctantly in some respects with regard to this legislation, stands up and asks the Congress to support it.

With these comments, I strongly urge that the Senate pass this legislation and resist any attempts to weaken it.



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No. 30

SENATE

Mr. MONDALE. Mr. President, I am pleased to join the distinguished senior Senator from Massachusetts [Mr. KENNEDY] in his proposal to establish a sane Selective Service System.

Last June I joined the Senator from Massachusetts in opposing Senate acceptance of the conference report extending the draft law, because that report prohibited the President from establishing reasonable procedures. We lost. Now we are reaping the results of the restrictions Congress placed on the President's discretion last summer.

We said last summer that there was a better way. That is still true, and Senator KENNEDY's bill incorporates that better way.

There are five major reasons for my support of the Kennedy bill.

First of all, it provides a fair way of selecting draftees when something less than total mobilization is required. It establishes random selection from the whole population of young people, without regard for economic or social accident.

Second, it eliminates the uncertainty among young people that is inherent in the present draft system. At age 19, a young man will know once and for all whether he is going to be called for selective service. He can plan accordingly, where he now faces years of uncertainty.

Third, a young man can attend college if he wishes, not avoiding his chance of being drafted but simply postponing it. He will know that sometime he must enter the pool of young men from whom draftees are to be selected. He can make a choice about when to do it, not about whether to do it. And the bill provides for discontinuance of student postponements when the casualty figures reach such levels that young men might seek to attend college to avoid a temporary danger.

Fourth, a young man would know that he is being treated equally with any other young man in America, through the establishment of uniform national selection standards. No longer could accidents of geography provide him with special privilege or special jeopardy. And uniform national standards would also clarify the hardship and occupational deferment situations which now are left to the whim of local selective service boards.

Fifth, the Kennedy proposal would encourage the study and possible expansion of Project 100,000 into a program of Military Youth Opportunity Schools. I like the possibilities that Senator KENNEDY has outlined here, especially the possibility that there would be a substantial proportion of volunteers with accompanying high motivation and opportunity to overcome the accidental deficits of their social and geographical environment.

The Kennedy proposal contains a number of other provisions which enhance its value to the Nation—study of the possibilities of a volunteer army and national service alternative, prohibition of the draft as a punishment device, and reorganization of the Selective Service System along the lines proposed by the Marshall Commission, to name a few. Mr. President, I commend the senior Senator from Massachusetts on the forthright approach he has made in this legislation to the serious inequities, injustices, and inconsistencies in the present Selective Service law.

Mr. President, we have just witnessed the establishment of a discouraging new policy on graduate student deferments. No one can deny that our previous policies were patently unfair to the less privileged or that there was occasional abuse of the student deferment provisions. But it is also impossible to deny that these regulations will damage higher education at a time when it most needs help, that they create immediate staffing and programing difficulties which will be expensive and almost impossible for some institutions to overcome, and that we may pay a heavy price in academic and professional quality for our failure to act sensibly on last summer's draft extension.

If we had done what we should have last summer, none of this damage would have had to occur. We would still need a revision of our draft laws in any case, but now it is imperative that we wait no longer to establish a sane Selective Service System.

Mr. President, I am happy to cosponsor the Kennedy bill.

Mr. KENNEDY of Massachusetts. I thank the distinguished Senator from Minnesota for his remarks. It is always a pleasure to be associated with him in our efforts to revise our draft law.



"A quarter million or more Americans every year suffer needless disease, and even death from eating contaminated poultry, fish and eggs."

-Senator Walter F. Mondale

Congressional Record

PROCEEDINGS AND DEBATES OF THE 90th CONGRESS, SECOND SESSION

THURSDAY, APRIL 25, 1968

SENATE

S. 3383—INTRODUCTION OF WHOLE-SOME POULTRY, EGGS, AND FISH PRODUCTS ACT OF 1968

Mr. MONDALE. Mr. President, I introduce today, for appropriate reference, the Wholesome Poultry, Eggs, and Fish Products Act of 1968.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3383) to amend the Poultry Products Inspection Act in order to provide for the mandatory inspection of all poultry and poultry products intended for human food, to provide a mandatory program for the inspection and grading of eggs and egg products and for the mandatory inspection of fish and fish products, and for other purposes, introduced by Mr. MONDALE, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. MONDALE. Mr. President, this measure would amend the Poultry Products Inspection Act to provide for mandatory inspection of all poultry and poultry products intended for human food, and provide a mandatory program for inspection of fish and fish products, and inspection and grading of eggs and egg products.

Mr. President, a quarter million or more Americans every year suffer needless disease, and even death from eating contaminated poultry, fish, and eggs.

And this quarter million is a conservative estimate, based on reported cases.

Most cases of food-borne illness and death are not reported. The reports illustrate some of the dimensions of the problem: In the last 7 years, 10,609 Americans have been reported ill or dead because of diseases related to poultry, eggs, and fish. Of these cases, 7,653 were attributed to poultry, 1,466 to eggs, and 1,490 to fish.

In the same period, there were 11 reported deaths from botulism attributed to fish, two from smoked ciscoes; and nine from tuna, smoked whitefish, and whitefish chub.

In the last 5 years alone, 320 deaths have been associated with salmonellosis, much due to contaminated poultry, fish, and eggs.

Authorities emphasize that such statistics must be multiplied several hundred times to get any real estimate of the problem.

It has, for example, been estimated that more than 1 percent of the population becomes infected with salmonellosis from all sources, but that only 1 percent of the cases are reported to public health authorities.

Other diseases associated with poultry, eggs, and fish are caused by staphylococci, clostridium botulinum, clostridium perfringens, streptococci, shigella, infectious hepatitis, and paralytic shellfish poison.

The major cause of salmonellosis reported over the last decades has been livestock and fowl. Widely distributed animal feeds have been found heavily contaminated with salmonella. Eggs and egg products have been the principal source of reported outbreaks in the recent past.

Why does the count continue?

The answer is to be found in the unsanitary practices of growers, processors, and retailers of poultry, fish, and eggs, inadequately regulated by existing Federal, State, or local programs.

According to the Public Health Service:

The accumulated knowledge strongly suggests that prevention of food borne illnesses from poultry, eggs, and fish . . . depends on the continuous application of sanitary measures from production and harvesting of raw products, through all intermediate steps of processing and distribution, to final preparation for serving.

No effective mechanism is available for achieving such a unified program of consumer protection that encompasses all the commercial enterprises and governmental agencies whose participation is necessary to reduce the health hazards to a practical minimum.

THE PROPOSED POULTRY AND FISH BILLS

In his consumer message, President Johnson recognized the problems existing in the poultry and fish industries. He called for closing the gaps in the system of poultry inspection, and for "guarding the consumer's health against unwholesome fish." He subsequently had prepared two bills to carry out this work.

It is my feeling, however, that these measures could be strengthened.

The administration measures would extend many of the provisions of the Meat Inspection Act to fish and poultry.

Neither measure provides immediate continuous protection for the consumer. Immediate authority is extended only to fish and poultry shipped in interstate commerce. Products shipped within a State may remain uninspected or inadequately inspected for 2, or in some cases

3 years before standards equal to Federal requirements would be required. The poultry measure would permit poultry exempted from Federal inspection to be shipped across State lines. It does not cover feed grains, an important source of salmonella contamination. Both bills leave out the key word "mandatory" which gave added strength to the meat inspection measure. The poultry inspection measure omits the annual review of State programs contained in the meat bill to assure that once a State has been made responsible, it is, in fact, carrying out a program equal in strength to the national requirements. Advisory committees, so important to effective development of regulations and programs, fail to include both consumers and industry in the poultry bill, although the contribution of these two groups is included in the fish measure.

While the fish bill contains much more of the original intent of the meat measure, it too fails to "cover the waterfront," so to speak. Adequate inspection of vessels is made discretionary. Record maintenance is considerably weaker in the fish measure than it is in the poultry bill. Records need be maintained only by those processing fish and holding them after shipment, deleting important steps in the process from boat to consumer. Unlike the poultry measure, access to records is provided only for the Secretary, not for authorized representatives.

Moreover, both measures delete the provision for full public disclosure contained in the Meat Inspection Act, including reports to Congress revealing the nature and extent of activities, and the total effectiveness of the overall governmental effort.

Moreover, the fish bill fails to take adequate account of the special factors pertaining to fish that require a difference in treatment from the meat measure. There is no provision for help to the fishermen of the Nation through a fisheries extension program.

Both contain other, smaller deficiencies. For example, the poultry bill provides for administration detention of unwholesome poultry, but does not require that the owner pay for storage during the detention proceedings. The fish bill fails to state that charges for impounded imported fish be paid by the owner. It permits certification for countries which meet U.S. standards, but fails to provide for any review of compliance. While placing reliance on States, the fish bill fails to include the requirement for "equitable distribution of development funds" among the States included in the poultry measure.

The poultry measure has been considered on the House side. The bill reported out by the subcommittee has been strengthened in several respects. However, two new weaknesses have been introduced: Violations of the law must be "knowingly" committed, even though this is required neither by the meat inspection nor by the Pure Food and Drug Act; plants handling less than \$15,000 worth of poultry a year are exempted,

even though these may send contaminated poultry to the consumer. And there is still the long waiting period before Federal inspectors can check intrastate plants when States do not intend to enforce inspection laws of their own.

Finally, no measure yet before either House deals with eggs.

THE NEED FOR EGG INSPECTION

The fresh, unbroken hen's egg is one of nature's best protected raw foods. Usually, even when eggs are obtained from diseased flocks, the egg, and yolk remain germ free. Most problems begin when the shell is cracked.

In commercial processing, an occasional contaminated egg cannot always be detected, and may be mixed in with a large number of good eggs. If eggs are dirty, cracked, or otherwise mistreated, they may cause contamination. Storage of whole eggs under warm and moist temperatures may allow micro-organisms to penetrate the shell. Ideally, the breaking operation should allow rejection of dirty, low-weight, check eggs, and incubator rejects before they are mixed. However, this is not always the case. The Food and Drug Administration, for example, cites case after case of the use of incubator rejects—eggs incubated at the hatcheries, but which fail to germinate, or in which the fetus had died.

Increasing numbers of the things that we buy contain not freshly broken shell eggs, but frozen, dried, or powdered egg yolks and whites. The processing of eggs can leave much to be desired.

According to the Public Health Service, conditions in most egg processing plants allow many disease-bearing micro-organisms to remain in the finished raw egg or egg products.

Unless pasteurization is used, *Salmonella* may remain throughout the processing operation. And even pasteurization may be inadequate, because the milk equipment adapted to egg processing may not do an adequate job.

The present inspection effort consists of actions by the States; and by Federal Government. The USDA operates a continuous, voluntary inspection service. In this, they are joined by Food and Drug Administration representatives, conducting surveillance or spot check inspections as part of their overall responsibilities under existing laws. Under the USDA program, 68 percent of the total U.S. liquid and frozen egg production, and 72 percent of the dried egg production was inspected last year.

While the Food and Drug Administration has authority to inspect under the Food, Drug, and Cosmetics Act, its inspections are not continuous. Only 652 inspections were made in 536 plants in 1967, an average of a little over one during the entire year, and these only in plants that shipped for interstate commerce.

Information on State programs indicates that they too are inadequate.

Most States do not have specific laws applicable to egg products, although 36 States have general food-type sanitary laws, that cover processing of all foods, but do not require pasteurization. Twelve States have mandatory laws, and two States have a voluntary law covering egg products. There is tremendous variation, both in the content of all of these laws, and in how they are administered.

There are approximately 800 non-USA plants, producing about 231,470,000 pounds of liquid or frozen products. While the USDA has not done a survey of these plants as they did for nonfederally inspected poultry and meat plants, evidence from my own State, and others, shows how badly a uniform, strong inspection system is needed.

I first became aware of the problem with nonfederally inspected broken egg processors when one of my constituents, Mr. James Kosmo, editor of the *Edina Courier*, brought to my attention the situation in Lonsdale, Minn. The FDA has seized 6,000 pounds of egg whites from the egg company in that town. The egg whites were found to contain *Salmonella*, fecal strep, and a coliform count more than 10 times that of raw sewage. The FDA report on the Lonsdale Egg Co., explained the reason for contamination: flies in the breaking room; dead flies in empty cans that then were filled with eggs; cleaning equipment that was itself contaminated from a hose left lying on the floor when it was not in use; raw, whole eggs stored in a holding tank at a temperature of 65-67 degrees for 1 hour or more; employees taking sanitized empty cans from the floor, and stacking them on each other.

The people receiving these eggs in Iowa and Missouri were lucky they were shipped in interstate commerce, and that the FDA inspectors caught them. How many other loads had been shipped to other States and within the State before these conditions were caught we will never know. For the Lonsdale plant was not under any kind of continuous inspection system.

These kinds of problems are not limited to Minnesota alone, of course. They exist across the United States.

In the spring of 1967, the Public Health Service, and local health officials, investigated the largest epidemic of salmonellosis in recent years in New York City. In one 3-week period, 14 outbreaks, with 1,790 persons involved, were tallied among families who had attended bar mitzvah celebrations in the New York area. The Public Health Service estimates that the total number of persons ill ranged somewhere between 9,000 and 21,000 persons. The cause turned out to be frozen cream chiffonade dessert prepared from contaminated, unpasteurized frozen egg yolks distributed not only to New York, but through the Northeastern United States. The source of the problem was in the processing plant:

Eggs were automatically broken, the whites and yolks were separated and flowed into buckets. Bits of egg shell often fell into the egg yolk and these were removed by hand, thus allowing ample opportunity for organisms on the outside of the shell to be inoculated into the yolk . . . some amount of yolk or egg white remained present in the mixing tank from the beginning to the end of the working day, a period of seven hours . . . the egg breaking and mixing were done at room temperature. Multiple salmonella serotypes were found in the egg breaking equipment and in the yolk mixing and straining tanks. A great variety of salmonella serotypes were found in samples of the plant environment and frozen wastes on the freezer floors. . . . The very generalized contamination of the environment, the machinery, and the unfinished product made it difficult for any product to be free of salmonella unless it was subsequently cooked or pasteurized.

But this did not happen, for the chiffonade was not cooked, nor were the eggs pasteurized before they were made into the dessert.

The Public Health Service report concluded:

This large outbreak resulted from the failure to control salmonella contamination at multiple points . . . 1) salmonella in the poultry feed leading to 2) salmonella in the children's gastro intestinal tract, causing 3) salmonella in the fecal contamination of the shells of eggs; 4) use . . . of "checked" eggs which would be most likely to have salmonella penetration; 5) an egg breaking process which distributed the salmonella uniformly into all of the egg products and allowed for its growth; 6) mixing the unpasteurized egg yolk into the dessert product and allowing for further incubation, and 7) failure to cook the chiffonade mixture after adding the contaminated eggs. The outbreak might have been prevented by correction of the inadequate sanitary practices at any one of these points.

And it also pointed to the need for further uniform regulation of egg processing plants, within as well as outside States:

The FDA requires that all egg products shipped interstate be salmonella-free. The FDA and the USDA have begun a program to try and eliminate salmonella from animal feeds. Such a federal regulation, however, would have been insufficient to prevent the outbreak under consideration because many poultry feeds given to the chickens were produced in the state in which they were used, and the egg product, frozen eggs, was not shipped interstate. The majority of the chiffonade dessert was also shipped intrastate.

Here again, this is not an isolated instance. Other Public Health Service reports point to six persons infected from drinking eggnog in Illinois; an unknown number infected in Washington, D.C., from egg yolk used in cake filling; 268 persons ill after eating coconut cream pie with meringue in Michigan. All of these could be traced to contaminated cans from frozen egg white.

Powdered eggs have caused widespread outbreaks of disease in infants because the eggs were inadequately pasteurized.

In the spring of 1964, Public Health Service investigations of an outbreak of

food poisoning at a sorority dinner at the University of Utah discovered the cause to be banana-cream pie made from Salmonella-contaminated eggs. Sixty-six guests, waitresses, and kitchen employees became ill, some so ill that they required hospitalization. Eighty-eight cases were found at about the same time in other parts of Utah, and in Arkansas, Hawaii, Maryland, and Washington State. Three welfare recipients were reported dead in 1965 in Washington State from Salmonella-tainted dried eggs they had received from the State surplus food program. The Public Health Service points out that the use of raw eggs in bakery goods such as eclairs, or in hospitals have repeatedly caused outbreaks of illness that have been traced back to the eggs.

And the count continues on.

The Public Health Service sums up the situation well:

The practical fact is . . . that conditions in most egg processing plants allow survival of pathogenic microorganisms in finished raw egg and egg products.

They go on to cite evidence from Canadian authorities who have dealt with our exported egg products for many years.

A recent Canadian survey of such products showed that salmonella organisms were present in 12 percent of 114 samples of frozen egg and in 54 percent of 119 samples of egg-containing cake mixes, mostly manufactured by U.S. firms.

If this is the case from eggs shipped in interstate commerce, and across our national border, we have only to imagine what it must be like in the noninspected intrastate operations.

THE WHOLESOME POULTRY, EGGS, AND FISH PRODUCTS ACT OF 1968

The measure I introduce today represents an eclectic approach to resolving the problems not only in poultry and fish, but in egg inspection as well. While it takes much from the administration measures, it remedies the defects in the fish and poultry bills, and adds other provisions. It moves us toward that "unified program of consumer protection" the Public Health Service and all of us believe is necessary to protect the well-being of the Nation.

The bill creates the broad unified framework we need today to administer all three programs. It rests administrative authority for inspection not only of poultry, but of eggs and fish in the Secretary of Agriculture, thereby ending the potential for overlapping and duplication inherent in presently pending bills.

As did my original version of the Meat Inspection Act, the bill gives the Governors of States the chance to choose whether they wish to conduct part or all of the poultry, fish, and egg program without forcing it on them. Under this measure, Governors whose State laws equal Federal measures would be able to apply to the Secretary for an exemption

from Federal inspection. If the Secretary found evidence that the State would be able to carry out a program equal in consumer protection to the Federal inspection system, he could then work with the States. He could provide technical assistance to strengthen State programs, and supply up to 50 percent of the total cost of the inspection program. But the consumer would be protected at all times. If the Secretary found that State programs were inadequate, he would be empowered to move quickly to reassert Federal standards and controls. The Secretary could, of course, reexempt the State if and when the standards became sufficient again.

I think this flexible provision is essential in view of the fact that only five States now have active, mandatory poultry inspection laws, and that no State egg or fish programs are as extensive as would be required under this proposed measure. Adequate protection of the consumer cannot be achieved without uniform standards applying both to products shipped within States and across State lines, because increasing number of poultry, fish, and egg processors prepare products for both types of shipment at the same plant, if not at the same time. Some States may wish to develop their own programs; but many may not. Those who do not wish to go to the added expense of developing their own administrative structures should not be required to do so.

This measure would permit the Secretary to work not only with States, but with other Federal agencies as well. With the ability to use the personnel and skills of States and other agencies, the Department will be able to work out the most effective and efficient arrangements for administration of the program on a State-by-State basis.

This bill authorizes the Secretary to make fullest use of the expertise of industry and the consumers. It provides for broadly representative advisory committees. We would expect these committees to consider not only issues specific to poultry, eggs, and fish, but also problems that cut across the protein products industry. The committees could help develop effective, uniform standards to protect the consumer, and the responsible members of the industries involved who often in the past have had to suffer losses in profit because their higher quality products have cost more than contaminated ones. We would expect committees to consider more effective means of warning consumers and industry of products potentially hazardous to health. The Minnesota Mining & Manufacturing Co. has developed a stamp for food packages, for example, which would indicate when frozen food packages had been thawed above safe temperature levels. This, and numerous other avenues to consumer protection could be explored.

We would expect an overall saving to taxpayers from this centralized protein

inspection arrangement. The Secretary could unify recruitment, selection, training and advancement arrangements, eliminating much of the duplication and inconsistency that now exists. He could deploy manpower with great efficiency, using inspection and laboratory personnel in multiple roles. Meat, vegetable, and egg inspectors could also inspect poultry, fish, and egg products. The Secretary also could make cooperative arrangements with other Federal agencies, or State and local government to have their personnel conduct the multiple segments of the program.

The Department of Agriculture is the obvious choice to undertake this responsibility. While other agencies have been involved in parts of the overall effort, none has the combination of previous experience, and present administrative capacity necessary to assure the success of the measure I propose. The Department of Agriculture has administered successfully meat, poultry, and egg programs. It also has had responsibilities in fish inspection in the past. The Department could call upon the expertise of other agencies. But the Department itself could be made accountable on behalf of the consumers.

All three titles of this bill would require annual reports to the Congress and Nation like those required under the Meat Inspection Act.

The bill requires that mandatory programs be adopted for inspection of all poultry, fish, and eggs and their products. Exemptions are provided, but only in cases where evidence proves these to absolutely be essential. The Secretary is required to make the reasons for any additional exemptions available to the public.

The provision of the administration poultry bill making possible the shipment across State lines of poultry exempted from Federal inspection is deleted. This provision, not in the Meat Act, would make it possible for millions of pounds of inadequately inspected poultry to be sold to the consumer unaware that State requirements did not equal the Federal. The Federal-State inspection legend provision also is deleted. It was not in the meat bill either, and raises serious problems.

My poultry title adds a provision not in the administration measures, providing for inspection of poultry feed, to prevent contamination. And the fish title provides for technical and financial assistance to the fish industry to help it upgrade and modernize its operation to meet the requirements of the act, and for a fisheries extension program.

The fish title also amends the administration import provisions, making it conform to the standards of the Meat Act.

My bill gives 1 year for study and development of standards for fish inspection. I do not see why we must wait for three.

Finally, my bill remedies numerous smaller gaps in the administration poul-

try and fish measures. Adequate inspection of vessels would be required as part of the fish program instead, rather than left to the discretion of the Secretary, as it is in the administration bill. Import certificates would be reviewed under my fish title. Those responsible for illegal acts, such as importing diseased products, or merchandising them would be required to pay for administrative costs.

Mr. President, the American consumer can wait no longer for adequate protection of protein products. This year in which spectacular progress is being made to prolong life through medical science seems the appropriate time to act to assure that the quality of life, the health of people, be protected as well.

Mr. President, I ask unanimous consent that a section-by-section analysis of the legislation be printed in the RECORD at this point.

There being no objection, the section-by-section analysis of the bill was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS OF THE WHOLE-SOME POULTRY, EGG, AND FISH PRODUCTS ACT OF 1968

TITLE I.—AMENDMENTS TO THE POULTRY PRODUCTS INSPECTION ACT

Section 101. *Amendments.*—

(1) Section 2 amends the legislative finding now in Section 2 of the Poultry Products Inspection Act (PPIA) to support the provisions of the bill which affect intrastate commerce.

(2) Section 3 of the PPIA is amended to delete reference to designated major consuming areas, and include the terms adulterated and misbranded, used elsewhere in the Act.

(3) Section 4 of the PPIA is amended to revise definitions of "commerce," "Secretary," "poultry product," adulterated, "inspector," and "label," to delete the definitions of "official inspection mark," "wholesome," and "unwholesome," and to add numerous new definitions including "processed" and "misbranded." Definitions conform closely to those of the Federal Meat Inspection Act (FMIA).

(a) The term "commerce" is amended to mean commerce within or between any State, territory, District of Columbia or within any territory not organized with a legislative body.

(b) A definition of "State" (including the Commonwealth of Puerto Rico) is added.

(c) A definition of "Territory" is added, including territories and possessions of the United States, except the Canal Zone.

(d) A definition of "United States" is added, covering all the States, Territories, and the District of Columbia.

(e) The definition of "poultry" is extended to include domesticated birds that died otherwise than by slaughter.

(f) The definition of "poultry product" is clarified and extended to include New York dressed poultry under the coverage of the Act. The definition closely resembles that for meat products under FMIA, except for the phrase "capable of use as human food" quoted elsewhere in the Act.

(g) The definition of "adulterated" is amended to conform to the FMIA except for non-substantive changes and other changes to make it applicable to poultry products.

(h) The definition of "misbranded" is amended to conform generally to the FMIA except for changes needed to make it applicable to poultry products.

(i) "Secretary" is redefined to include delegates of the Secretary as well as the Secretary of Agriculture himself.

(j) A grammatical change is made in the definition of "person".

(k) The definition of "inspector" is changed to include reference to employees or officials of a Territory, the District of Columbia, as well as of a State, or the United States.

(l) A definition for the term "official mark" is added, broader than the "official inspection legend."

(m) The term "official inspection legend" is substituted for "official inspection mark" in conformity with the FMIA.

(n) and (o) The terms "official certificate" and "official device" are added to conform to the FMIA.

(p) and (q) There is no change in the definitions of "official establishment" or "inspection service."

(r) A grammatical change is made in the definition of "container" or "package."

(s) "Label" is redefined to include written, printed, or graphic matter upon articles as well as matter upon the immediate container. The definition of "labeling" is added in conformity with the FMIA.

(t) and (u) No change is made in the definition of "shipping container" and "immediate container."

(v) A definition for "capable of use as human food" is added in conformity with the FMIA.

(w) A definition of "processed" is added, adapted from the FMIA for poultry.

(x) and (y) Definitions of "Federal Food, Drug, and Cosmetic Act"; and "pesticide chemical" and related terms are added identical with the definitions of FMIA.

(z) (aa) (bb) The terms "poultry products broker," "renderer," "animal food manufacturer" are added to conform to the definitions of the FMIA to make them apply to poultry products.

(4) Section 5 is amended to provide for the cooperation, assistance, and advice of appropriate State agencies and other departments and agencies of the Federal Government, deleting present provisions in Section 5 of the Act for designation of major consuming areas for intrastate activities.

(a) The policy of Congress is stated to be the protection of the consumer from adulterated or misbranded poultry and poultry products. To further this policy:

(1) The Secretary is authorized to enter into arrangements with State agencies, and other departments and agencies of the Federal Government to carry out the provisions of the Act.

(2) The Secretary is authorized to appoint advisory committees consisting of representatives of State agencies, consumers, and the poultry industry to advise him concerning means of increasing effectiveness of the program. Committees must include a majority of consumers. Notice shall be given of meetings, and minutes or transcripts kept.

(3) The Secretary is authorized to develop or arrange for training programs for personnel engaged in carrying out programs under the Act, and education programs for those in industry, and other related educational activities.

(4) The Secretary is authorized to use by agreement the officers, employees and facilities of any State and Federal agencies.

(b) (1) Upon application by the Governor,

the Secretary is authorized to exempt from the provisions of this Act states which have State laws at least equal in scope and content to the Federal laws, as well as such other characteristics as are prescribed by the Secretary.

(2) The Secretary is authorized to provide exempted States with advisory assistance, technical and laboratory assistance, training, financial, and other aid for administration of the program. The Federal Contribution is not to exceed 50% of the total cost of the cooperative program, with the States providing the remaining funds.

(3) This section specifies that the State agency with which the Secretary may cooperate may include State and municipal or other subordinate government units when these are involved in activities under the Act.

(4) The Secretary is authorized to terminate exemptions of States upon finding that they are failing to administer the program in accordance with the Federal standards. The Secretary is authorized to notify the Governor of such a fact, and to terminate the exemption after thirty days, unless the findings change within this time period, in which case the exemption may remain.

(5) Even in states exempted under the Act, the Secretary is authorized, upon finding that a processing plant is producing adulterated poultry products injurious to public health, to notify the Governor and advisory committee of the finding. If, after a reasonable time, the State has not taken action, the Secretary may withdraw the exemption from the establishment, and it will be subject to the requirements of the Title.

(6) When the exemption is withdrawn, the Secretary is authorized to establish inspection procedures under the Act for poultry processors distributing their products within the State.

(7) The Secretary is authorized to provide an annual review of the State programs under this section, and to report on them.

(c) "State" is redefined to include the Commonwealth of Puerto Rico, organized territories, and the District of Columbia.

(5) The heading of Section 5 is amended to read "Cooperation and Utilization of State and Other Federal Agencies; Exemption Authorized for Intrastate Activities."

(6) and (7) Section 6 is amended to conform to language contained in amendments made by the bill, including adding the phrase "capable of use as human food" to qualify "poultry products" in the provisions for quarantine, segregation, and reinspection.

(8) Section 7 is amended editorially to conform to other amendments.

(9) Section 8 dealing with labeling requirements is amended to conform generally to the FMIA, except for editorial changes needed to make it relevant to poultry products. The single exception is that the Secretary is given authority to require specified information not only on the products "or" their containers, but on the products "and" their containers.

(a) This paragraph is amended as to labeling information to be required. The present Act specifies certain items required to appear on the shipping container and more extensive information for the immediate container. Under the revised section, information necessary under the definition of "misbranded" would appear on the poultry product itself, under certain circumstances, and on the shipping containers and immediate containers. The present inspection mark could continue to be used.

(b) The Secretary would be authorized to prescribe styles and sizes of type of required label information, and to prescribe standards of identity, composition, and fill of containers.

(c) The sale of articles subject to the Act under a false or misleading name or in containers of false or misleading form or size is prohibited. The use of approved labeling and containers is permitted. Similar provisions are in present paragraph 8(b).

(d) The Secretary is authorized to order labeling of containers be withheld from use if there is reason to believe they are false or misleading, and to provide for administrative hearing and judicial review. This provision is essentially the same as in paragraph 8(b) of the present Act, except that it includes authority to prevent use of containers of a false or misleading form or size.

(10) Section 9 is amended to delete the principal prohibition now in the Act, and substitute prohibitions like those in the FMIA plus others adapted from the present PPIA, and to make necessary editorial changes. Under the revised section it would be unlawful to:

(1) Slaughter or process poultry and poultry products capable of use as human food except in compliance with the requirements of the Act. (This clarifies a prohibition now in paragraph 9(a) of the Act with respect to processing.)

(2) Introduce or deliver for introduction, sell, transport, offer for sale or transportation, or receive or otherwise dispose for transportation or store (A) adulterated or misbranded poultry products capable of use as human food; or (B) poultry products required to be inspected unless they have been inspected and passed.

(3) Adulterate or misbrand poultry products capable of use as human food while they are being held for storage or for transportation or being transported or held for sale.

(Clause (2) (A) and Clause (3) replace comparable prohibitions in paragraphs 9(a), (b), and (d) and Section 16 of the present Act with respect to mislabeled or unwholesome or adulterated articles, and extends coverage into areas now included only in the Federal Food, Drug, and Cosmetic Act. Clause (2) (B) preserves prohibitions now in paragraph 9(a) concerning distribution of poultry products that have not been inspected.)

(4) Sell, transport, offer for sale or transportation, or receive for transportation articles not qualifying under the present definition of "poultry products", principally "New York dressed poultry."

(5) Use to his own advantage or reveal except under certain conditions, information entitled to protection as a trade secret. (This clarifies and slightly relieves the present prohibition in paragraph 9(h) of the Act.)

(6), (7), (8), (9) Make, simulate, forge, alter, counterfeit, possess, alter, detach, deface or destroy official marks, devices, or certificates, except as authorized by the Secretary.

(10) Knowingly possess any of the above, without notifying the Secretary or his representative;

(11) Make false statements on certificates;

(12) Knowingly represent that an article has been inspected and passed or exempted when it has not.

(Paragraphs 6-12 clarify and expand upon prohibitions contained in paragraphs 9(c) and (e) of the Acts which contain similar provisions, except as to false statements in certificates).

(11) Section 10 is amended to conform to other amendments.

(12) Section 11 is amended to delete the present record requirements, and substitute the records and other provisions of Title II of the FMIA.

(a) A new paragraph is added, limiting inspection under the Act to poultry and poultry products intended for use as human food. Denaturing or other identification is required for products not for human consumption before they can be distributed or imported.

(b) A new paragraph requires record-keeping and full and correct disclosure of business transaction by those who slaughter, process, freeze, package, label, buy, sell, transport, deliver, store, ship, import, receive or render poultry and poultry products. In addition, at reasonable times such persons would be required to give access to representatives of the Secretary to their places of business, their records, facilities, and inventories, and to take samples of their inventories upon payment, whether under the Act, or in an exempted State.

(c) A new paragraph would authorize the Secretary to require registration of persons engaged in business as poultry and poultry products brokers, renderers, animal food manufacturers, wholesalers or public warehousemen of poultry carcasses, etc., and persons engaged in the business of buying, selling or transporting or importing 4 D (dead, dying, diseased, disabled) or parts of carcasses of poultry that died otherwise than by slaughter.

(d) A new paragraph would prohibit those mentioned in (c) above from making business transactions, except in accordance with the Secretary's regulations.

(13) The Heading of Section 11 is amended to read: "Products Not Intended for Human Food; Records and Related Requirements."

(14) Section 12 relating to penalties is amended by substituting provisions adapted from Section 406 of the FMIA; by making editorial changes in paragraph 12(b); and by adding as 12(c) prohibitions and penalties like those in Section 405 of the FMIA relating to forcible assaults, etc. against persons performing official duties under the PPIA.

(15) Section 14 of the Act is amended to add authority for the Secretary to regulate standards of sanitation, quality control, storage, and handling, in consultation with an advisory committee, for persons engaged in processing, shipping and storing poultry and poultry products.

(16) The heading of Section 14 is amended to read: "Standards for Storage and Handling; Rules and Regulations."

(17) Section 15 relating to exemptions is amended by (a) deleting the poultry producer exemption authority now contained in paragraph 15(a)(1) (a more restricted exemption is provided in new paragraph 15(c));

(b) deleting the exemption authority given the Secretary by Section 15(a)(3) in cases of impracticability;

(c) preserving and redesignating as paragraph (a)(1) the exemption authority to retail dealers now contained in paragraph 15(a)(2); redesignating as paragraph 15(a)(2) the religious exemption provisions now contained in paragraph 15(a)(4);

(d) redesignating as (f) present paragraph (b) relating to suspension or termination of exemptions and adding new paragraphs (b), (c), (d), and (e) to the Act:

"(b) The Secretary is authorized to exempt from inspection slaughter of poultry and processing of poultry products in any unorganized territory for distribution therein, when he finds it is impractical to provide such inspection. (This is the same as paragraph 23(b) of the FMIA except for editorial changes.)

"(c) The Secretary may exclude from the inspection requirements of the Act slaughter and processing by persons using products of their own raising, for use by them, their family, their nonpaying guests and employees; and custom slaughterers who do not engage in buying or selling poultry products

capable of use as human food. (This is the same as paragraph 23(a) of the FMIA except for editorial changes.)

"(d) The adulteration and misbranding provisions apply to articles exempted or excluded from the inspection requirements.

"(e) A subsection states that under such regulations as the Secretary may prescribe to protect the public health, slaughter and processing of poultry normally conducted at retail stores and restaurants for sale at normal retail quantities may be exempted.

"(f) When exemptions are granted, the Secretary shall keep written records showing why the exemption is granted, and to make these records available for inspection."

(18) Section 16 is amended to give the Secretary authority to limit entry of poultry products into official establishments.

(19) Section 17 relating to imports is amended to conform to provisions in Section 20 of the FMIA.

(a) Importation of adulterated or misbranded poultry products capable of use as human food is prohibited; as is importation unless they comply with all the inspection, building construction standards and other provisions of the Act and regulations thereunder applicable to such articles in domestic commerce. An exception is made for imports not in excess of 50 pounds by persons for their own consumption.

(b) The Secretary is authorized to provide for destruction of articles imported contrary to the Act unless they are exported, or, if misbranded, brought into compliance with the Act under official supervision, instead of being exported.

(c) The provisions of paragraph 17(c) of the PPIA are expanded relating to assessment for storage, cartage and labor charges against the owner or consignee of products refused admission.

(d) Knowing importation in violation of these provisions is prohibited.

(20) Section 18 is amended to delete present provisions relating to jurisdiction of the Secretary in cooperation with other branches of government and State agencies, and substitute provisions of the FMIA for refusal of withdrawal of the Inspection Service under the Act.

(a) A new provision would authorize withdrawal or refusal of inspection service under the Act for any establishment, if it is determined that the applicant or recipient is determined to be unfit to engage in business, or if someone responsibly connected with him is determined unfit. Unfit persons can include persons convicted within the previous ten years of felonies or more than one misdemeanor relating to food; or felonies involving acts indicating a lack of integrity needed to conduct the operations affecting the public health.

(b) A new provision would provide opportunity for hearing, upon request by adversely affected processors, in cases where inspection service has been withdrawn or refused because of failure to destroy condemned poultry products or otherwise comply with requirements under Section 7 of the Act. However, the withdrawal or refusal would continue unless otherwise ordered by the Secretary.

(c) A new provision would call for judicial review of orders in proceedings within paragraphs (a) and (b).

(21) The first sentence of Section 19 is amended to clarify the circumstances under which the cost of inspection shall be borne by the United States.

(22) The heading of Section 18 is amended to read: "Authority of Secretary To Refuse Inspection Service."

(23) Sections 20-22 are redesignated as Sections 27 through 30 respectively, and new sections and headings are inserted.

(a) A new Section 19 authorizes administrative detention by the Secretary of Agriculture's representative of poultry products and other articles and 4-D poultry if found on specified premises, and there is reason to believe that such products are adulterated, misbranded, uninspected, in violation of Federal or other laws, or are intended to be distributed in violation of such laws and are capable of use as human food.

(b) A new Section 20 authorizes judicial proceedings for seizure and condemnation of poultry found to be in violation of the Act as mentioned in (a) above.

(c) A new Section 21 would give specified courts jurisdiction over actions to enjoin violation and certain other cases under the Act.

(d) A new Section 22 would incorporate by reference provisions of the Federal Trade Commission and Communications Acts, authorizing requirement of reports, administrative subpoenas, and conferring other investigative and hearing powers.

(e) A new Section 23 would exempt poultry and poultry products to the extent they are covered by the provisions of this Act from the provisions of the Federal Food, Drug, and Cosmetics Act. This would not exempt them from liability under State negligence laws, however.

(f) A new Section 24 states that no jurisdiction may impose requirements different than these under the Title, but that they may exercise concurrent jurisdiction, except with respect to record-keeping.

(g) A new Section 25 provides for inspection of grain and other commodities used as poultry feed.

(1) Subsection (a) authorizes the Secretary to investigate the handling, processing, transporting, storage and use of poultry feed and to establish sanitation and health standards to insure the consuming public against diseased poultry.

(2) Subsection (b) states that distribution of uninspected feed is prohibited.

(3) Subsection (c) gives the Secretary the authority to exempt from the inspection provisions those whom it would be impractical to inspect.

(4) Subsection (d) prohibits violation and prescribes penalties.

(5) Subsection (e) states that these provisions are in addition to the authority of the Secretary under the United States Grain Standards Act, and the authority of the Secretary of Health, Education, and Welfare under the Federal Food, Drug, and Cosmetic Act.

(g) A new Section 26 calls for Annual Reports to Congressional Committees similar to the provisions of the FMIA.

Reports are to be submitted to the Committee on Agriculture of the House of Representatives, and the Committee on Agriculture and Forestry of the Senate on the effectiveness of operations of State programs granted exemptions under Section 5, and the administration of Section 17 of the Act relating to imports.

SEC. 102. This section contains the usual savings provision to apply in the case of partial invalidity of the bill.

SEC. 103. This section provides that the bill shall become effective immediately upon enactment except for the adulteration and misbranding provision, import provisions, amendments of exemptions provision, and provisions relating to 4-D poultry, all of which would become effective 60 days after enactment.

TITLE II.—MANDATORY FEDERAL INSPECTION AND GRADING PROGRAM FOR EGGS AND EGG PRODUCTS

Section 201.—*Findings and Statement of Purpose.*—In order to protect the consuming public, avoid adverse effects on marketing, and avoid losses to egg producers and processors of egg products, it is necessary to provide for a mandatory inspection and grading program for egg and egg products, whether or not they enter into the current of foreign or interstate commerce.

Section 202.—*Definitions.*—The definitions of this section include language like that of Title I, modified to include egg and egg products.

(a) The term "egg product" is defined to include the yolk and albumen from the egg or any portion thereof or mixture, with or without added ingredients, and whether or not further processed, exception products which contain egg products only in a relatively small proportion.

(b) The term "egg" is defined to mean the shell eggs of domesticated chickens, turkeys, ducks, geese, or guineas. In addition, the following classifications of eggs are defined:

(1) "check" to mean eggs with broken or cracked shells;

(2) "clean and sound shell eggs" to mean eggs with shells free of adhering dirt or foreign material, and not cracked or broken;

(3) "dirty eggs" to mean eggs with unbroken shells with dirt or foreign materials;

(4) "incubator rejects" to mean eggs subject to incubation, but rejected as infertile or otherwise unhatchable;

(5) "inedible" to include black rots, yellow rots, white rots, mixed rots (addled eggs), sour eggs, eggs with green whites, eggs with stuck yolks, moldy eggs, misty eggs, eggs showing blood rings, eggs containing embryo chicks (at or beyond the blood ring stage), and any adulterated eggs;

(6) "Leaker or leaking" to mean eggs with cracks or breaks in shells and shell membranes such that contents are exposed or exuding or free to exude through the shell;

(7) "loss" to mean eggs inedible, smashed, cooked, frozen, contaminated, or leaking or incubator reject; or that contains bloody whites, or other large quantities of blood, large meat spots, or other foreign material;

(c) The term "grading" is added to mean determination of the class, quality, quantity, or condition of any product; and the act of identifying such product by means of an official identification symbol;

(d) The term "processed" and "processing" is added to mean breaking, filtering, mixing, blending, pasteurizing, stabilizing, cooling, freezing, drying, or packing or otherwise manufacturing, preparing or processing eggs.

(e) Deleted are terms inapplicable to the egg industry, including "broker," "renderer," and "animal food manufacturer."

(f) The terms "pasteurize" and "pasteurization" are added to mean the process prescribed in regulation of the Secretary for destroying harmful, viable micro-organisms in egg products.

(g) The term "egg handler" is added to mean persons producing, buying, selling, processing, shipping, or receiving eggs or egg products, or otherwise handling them for commercial purposes.

Section 203. *Inspection and Grading Program for Egg Products; Re-inspection and Quarantine; Seizure and Condemnation; Administrative Detention.*—The provisions of this Title are much like similar provisions in Title I, amended Sections 19 and 20.

(a) The Secretary is authorized and directed to formulate and carry out an inspection and grading program for all eggs and egg products intended for human consumption, whether they are in interstate, or

foreign commerce, or travel through intrastate commerce.

(b) The Secretary is authorized to quarantine, segregate, seize, or re-inspect such products as he deems necessary.

(c) In order to prevent the sale or transportation of eggs capable of use as human food, but which are dirty, check, leakers, incubator rejects, loss or inedible, the Secretary shall:

(1) Promulgate standards and regulations to prohibit sale; and see that premises are inspected;

(2) Promulgate regulations to prohibit purchase, except when denatured or decharacterized;

(3) Promulgate regulations to prohibit purchase, possession or use of such eggs by restaurants, other food service and food manufacturing plants;

(d) In order to prevent sale to consumers of incubator rejects, the Secretary shall inspect hatcheries and other establishments, to prevent use of such eggs as human food, and to require denaturing or decharacterization.

(e) Inspection is not to be provided for egg product processors processing eggs not intended for use as human food. On the other hand, such products are required to be rendered inedible under regulations prescribed by the Secretary.

(f) The Secretary is authorized to provide for the sampling, detention, and re-inspection of egg products at processing establishments. Adulterated egg products are required to be destroyed, unless they can be unadulterated for use as food products. An appeal procedure also is provided.

(g) L. Administrative detention of adulterated or misbranded products is provided for up to twenty days.

2. Seizure and condemnation of products being processed, sold, transported, or otherwise distributed; or adulterated or misbranded; or otherwise in violation of this Title is provided for under specified legal procedures. Procedures for disposal of such condemned products are included.

3. No provisions of this section are to conflict or derogate from other condemnation or seizure authority conferred by other laws or other provisions of this Title.

Section 204. *Sanitation, Facilities, and Practices.*—

(a) Each official establishment is to be operated in accordance with standards as are required by the Secretary to prevent marketing or transportation of adulterated or misbranded egg products.

(b) No establishment processing egg products for human consumption shall do so except in compliance with the requirements of this Title.

(c) The Secretary shall refuse to give inspection or grading to establishments whose facilities and buildings, and equipment, and operations fail to meet the requirements of this Section.

Section 205. *Labeling.*—This Section is the same as Section 8, Title I, as amended, with the exception of editorial changes needed to make it relate to egg and egg products.

Section 206. *Imports.*—This Section is the same as Section 17, Title I, as amended, with the exception of editorial changes needed to make it relate to egg and egg products.

Section 207. *Prohibited Acts.*—This Section is the same as Section 9, Title I, as amended, with editorial changes needed to make it conform to egg and egg products. This includes changes of wording, and the omission of Section 9(4) of Title I.

Section 208. *Penalties.*—This Section is written to correspond to Section 12, Title I, as amended.

Section 209. *Record and Related Requirements.*—This provision is like Section 11(b), Title I, with the exception of changes needed to make the requirements applicable to egg and egg products.

Section 210. *Reporting of Violations.*—This Section, like Section 13 of the Poultry Products Inspection Act, requires reasonable notice to persons suspected to be in violation of this Act before proceedings are instituted. Furthermore, the Secretary continues to be authorized to give notice of warning of suspected violation when he thinks this would adequately serve the public interest.

Section 211. *Exemptions.*—

(a) As in Section 15(b) as amended, of Title I, the Secretary may provide an exemption for products in territories not organized into legislative bodies solely for distribution within such territory if it is impracticable to provide such inspection.

(b) Exemption is provided for persons raising eggs on their own farms or processing egg products for the use of themselves, members of their families, non-paying guests, and employees, or for sale directly to household consumers.

(c) As in Section 15(d) as amended, of Title I, the adulteration and misbranding provisions apply to exempted products.

(d) The Secretary may suspend or terminate exemptions.

(e) When exemptions are granted, the Secretary shall keep written records showing why the exemption is granted, and make these records available for inspection.

Section 212. *Standards for Storage and Handling.*—This section is written to conform to Section 14, Title I, as amended, with the exception of editorial changes needed to make it conform to egg and egg products.

The Secretary is authorized to prescribe regulations and standards of sanitation and quality control for processing, storing, and handling, to prevent adulteration or misbranding, with an advisory committee. The Secretary is further authorized to publish these regulations in the Federal Register; six months after the code has been published, the provisions will become effective, with the exception of retail stores or other establishments regulated under state or territorial law.

Section 213. *Cooperation and Utilization of State and Other Federal Agencies; Exemption authorized for Intrastate Activities.*—This section corresponds and parallels Section 5, Title I, as amended, with the exception of editorial changes needed to make it conform to egg and egg product inspection.

Section 214. *Cost of Inspection and Grading.*—This section is like Section 19 of the Poultry Products Inspection Act, providing that cost of inspection shall be borne by the United States, except for over-time and holiday work. Reimbursements to the Secretary are to be available without fiscal year limitation to carry out the programs under this Act.

Section 215. *Annual Reports to Congressional Committees.*—This section reads exactly as does Section 26, as amended, of Title I with the exception of editorial changes needed to make it relate to egg and egg products.

Section 216. *Court Jurisdictions; Prevention and Restraint of Violations.*—This section is like Section 21, Title I.

Section 217. *Additional Authority for Administration and Enforcement of Title.*—This section reads as does Section 22 of Title I.

Section 218. *Uniform Requirements.*—

(a) No state or territory or District of Columbia, may impose requirements within the scope of the title that are different from the title, except for recordkeeping and other re-

quirements within the scope of Section 209, but they may exercise concurrent jurisdiction over eggs and egg products.

(b) No state or subdivision, territory, or District of Columbia may establish mandatory standards, grades, or weights for eggs or other standards, consumer grades, or weight classes different from those under this Title.

Section 219. *Effect on Other Laws.*—This Section reads as does Section 23 of Title I as amended, with the exception of editorial changes needed to make it correspond to egg and egg products.

Section 220. *Rules and Regulations; Applicability of Title.*—This paragraph, like the amended Section 14 of Title I, provides that the Secretary shall promulgate such rules and regulations as are necessary to carry out the provisions of the Act, and shall be effective in the states, District of Columbia, Puerto Rico, and the Virgin Islands.

Section 221. *Authorization for Appropriations.*—Like Section 20 of the Poultry Product Inspection Act, this Section provides for authorization of such sums as are necessary to carry out the provisions of the Title.

Section 222. *Separability of Provisions.*—As does Section 102 of Title I, this provision contains the usual savings clause concerning the validity of remaining portions of the Act should any part of it become invalid.

Section 223. *Effective Date.*—The Title takes effect immediately upon enactment, except that it does not become effective for 180 days after enactment, except for those people whose applications for inspection are approved. In the meantime, the voluntary inspection and grading in effect under the Agricultural Marketing Act is to continue in effect.

TITLE III.—MANDATORY INSPECTION OF FISH AND FISH PRODUCTS

Section 301. *Statement of Findings and Purpose.*—In order to protect the consuming public, avoid adverse effects on marketing of fish, and avoid losses to fishermen and processors, it is necessary to provide for mandatory inspection programs for fish and fish products, whether or not they enter into the channels of interstate or foreign commerce.

Section 302. *Definitions.*—The definition section is written to conform to the amended definition section of Title I, with editorial changes and definitional changes needed to make the section apply to fish and fish products.

(a) "Fish" is defined to mean any aquatic animal including amphibians or part thereof capable of use as human food.

(b) "Fish product" is defined to mean any product capable of use as human food which is made wholly or in part from fish or parts thereof, except those products exempted from the definition by the Secretary.

(c) The terms "processed" and "processing" mean the harvesting, handling, storing, preparation, production, manufacture, preservation, packing, storing, or holding of any fish or fish product.

(d) The term "fishing vessel" means watercraft involved in landing and processing fish for human consumption.

Section 303. *Authorization for fish and fish product inspection; Establishment of Task Force.*—

(a) The Secretary is authorized to develop a comprehensive inspection program for fish and fish products.

(b) The Secretary is authorized within thirty days of enactment of the title to convene a task force consisting of the representatives of relevant Federal agencies, the fishing industry, and consumers.

(c) The Task Force will, within six months, formulate a program providing for the mandatory inspection of all domestic fish and fish products. The program shall include:

(1) Minimum standards or requirements for sanitation, equipment, and practices for fishing vessels and fish processors to assure that products are not adulterated, misbranded, and are suitable for human consumption.

(2) Minimum standards of quality and good manufacturing processes for processing of fish, and for storage and handling;

(3) Continuous inspection of fish processing plants, and adequate inspection of domestic fishing vessels;

(4) Means for assuring that imported fish products meet the standards and requirements applicable to domestic fish;

(d) The Secretary is to publish these regulations in the Federal Register not more than six months after the date of enactment of the Title.

Section 304. *Effective Date for Inspection Program.*—The program shall become effective six months after the regulations are published.

Section 305. *Powers for Administration and Enforcement of the Inspection Program.*—The Secretary of Agriculture is given the following powers:

(a) *Inspection.* The Secretary is authorized to inspect fishing vessels and establishments, and to quarantine, segregate, seize, or reinspect such products as he deems necessary. Inspectors shall have access to establishments and vessels.

(b) *Sanitation, Facilities, and Practices.* This section is patterned after Section 204, Title II.

(1) Official establishments and fishing vessels to be inspected are required to operate under such practices and regulations as are promulgated by the Secretary to prevent adulterated or misbranded fish products.

(2) Processing, except in compliance with the requirements of the Title, is prohibited.

(3) The Secretary shall refuse to render inspection service to establishments or fishing vessels which do not meet the requirements of the Title.

(c) *Certification.* The Secretary is to issue certificates of registration, upon application by vessels and processors, and assurance that standards will be maintained. After thirty days, no person shall process fish or fish products unless such a certificate is in effect. The Secretary may deny certification, and such denial shall be subject to hearing in judicial review.

(d) (1) *Withdrawal, Suspension and Reinstatement of Certificates.*—Withdrawal of registration is permitted after the opportunity for hearing. Immediate suspension is authorized for failure to permit access for inspection, or failure to comply with an order for condemnation or detention, or where imminent harm to the consumer might result from continued operation in violation with provisions of this Title. Application is permitted at any time for reinstatement, and the Secretary is authorized to grant immediate reinstatement if he finds that standards are being met. Review of suspension is provided.

(2) The Secretary is authorized to refuse to issue certificates of registration or to revoke or suspend such certificates, upon determination that the applicant or holder is unfit to engage in business because of a) having committed and been convicted of a felony or more than one misdemeanor related to food or fraud in connection with food, or b) felonies involving acts which indicate a lack of integrity needed to conduct operations affecting public health.

(3) Refusal to issue a certificate of registration is to be subject to the opportunity for hearing in judicial review.

(e) *Seizure.* The Secretary is authorized to provide for sampling, detention, and rein-

spection of fish or fish products at processing establishments and fishing vessels. Products found adulterated shall be immediately condemned and destroyed, but those which could be made non-adulterated by reprocessing need not be so condemned. An appeal procedure is also provided for.

(f) *Administrative Detention.* (1) Fish or fish products found to be adulterated, misbranded, or not inspected and intended to be or having been distributed in violation of this title may be detained by representatives of the Secretary for periods not to exceed twenty days pending action or notification from appropriate authorities.

(2) Products processed, sold, transported, or otherwise distributed; capable for use as human food and adulterated or misbranded; or in any other way in violation of the Title shall be liable to seizure, condemnation, under procedures outlined in this Section. Payment for court costs, fees, storage and other expenses shall be made by claimants of products.

(3) Condemnation and seizure authority conferred by other provisions of this Title, or other laws is not derogated by this subsection.

(4) To the extent the provisions of this Title apply, fish and fish products shall be exempt from provisions of the Federal Food, Drug and Cosmetic Act.

(g) *Articles Not Intended for Human Food.* Inspection shall not be provided except at vessels and establishments processing fish for human consumption, but fish not intended for human consumption is to be denatured, or otherwise rendered inedible and identified according to regulations of the Secretary. (Sections (d), (e), (f) and (g) are patterned after Sections 19 and 20 for Title I, and Section 203, Title II.)

(h) *Labeling.* This section is like Section 205 of Title II and the amended Section 8 of Title I, with the exception of changes needed to make it apply to fish and fish products.

(i) *Imports.* This section is written generally to correspond to Section 206 of Title II and to the amended Section 17 of Title I, with the exception of editorial changes needed to make it correspond to fish and fish products. Importation is limited to specified ports of entry.

(j) *Prohibited acts.* This section is like Section 207 of Title II and the amended Section 9 of Title I, with the exception of editorial changes needed to make it apply to fish and fish products.

(k) *Penalties.* This section corresponds to Section 208 of Title II and the amended Section 12 of Title I, with the exception of editorial changes needed to make it correspond to fish and fish products.

(l) *Record and related requirements.* This section corresponds to Section 209 of Title II, and the amended Section 11 of Title I, with the exception of editorial changes needed to make it refer to fish and fish products.

(m) *Reporting of Violations.* This section corresponds to Section 210, Title II and Section 13 of Title I.

(n) *Exemptions.* (1) Retail dealers selling fish and fish products directly to consumers and who process fish at their stores, are exempted from the provisions of this Title, under such regulations and standards as prescribed by the Secretary.

(2) Those processing fish in territories not organized with a legislative body, solely for distribution within that territory may also be exempted.

(3) Products processed exclusively for use by him and the members of his household and nonpaying guests and employees are exempted.

(4) The adulteration and misbranding provisions are applied to exempted fish and fish products except as otherwise specified.

(5) The Secretary may suspend or terminate exemptions.

(6) When exemptions are granted, the Secretary shall keep written records showing why the exemption is granted, and make these records available for inspection.

(o) *Effect on Other Laws.* Provisions of this title do not derogate from authority given by the Federal Food, Drug and Cosmetic Act; the Fair Packaging and Labeling Act, and the Public Health Service Act; or other acts.

(p) *Cooperation and Utilization of State and Other Federal Agencies.* This paragraph, like Section 213 of Title II, and the amended Section 5 of Title I, provides for relationships with other federal agencies and State Governments. Editorial changes are made as needed.

(q) *Exemption for Intrastate Activities.* This section also is included within the scope of Section 213, Title II, and the amended Section 5 of Title I, with necessary editorial changes.

(r) *Cost of Inspection.* This Section corresponds to Section 214, Title II and to Section 19 of Title I amended, adopted to fish processing establishments and vessels.

(s) *Annual Reports to Congressional Committees.* This Section corresponds to Section 215, Title II, and to the amended Section 26 of Title I, with editorial changes needed to make it correspond to fish.

(t) *Court Jurisdiction; Prevention and Restraint of Violations.* This section corresponds to Section 216, Title II and to Section 21 of Title I.

(u) *Additional Authority for Administration and Enforcement of Title.* This section corresponds to Section 217 of Title II and to the amended Section 22 of Title I.

Section 306. *Fishery Extension Service.* (a) The Secretary is authorized to establish fishery extension service within the Department of Agriculture to attain and disseminate practical information about commercial fishing operations.

(b) The Secretary is authorized to carry this out in the most effective manner, including cooperation with colleges and universities, and coordination of activities with State programs and those of the Bureau of Commercial Fisheries.

(c) The Extension work shall consist of giving instruction and practical demonstrations in commercial fishing, processing, marketing, and disseminating information.

Section 307. *Technical Assistance Grants.*—

(a) The Secretary is authorized to make technical assistance grants to help the fisheries industry meet the standards to be imposed under this Title.

(b) The Secretary is authorized to make technical assistance grants to fishery cooperatives, marketing associations, and other private agencies and organizations to implement technological improvements for demonstration purposes.

(c) Factors to be considered in making grants under this section are to include the amount of money available, the number of applicants, the financial condition of the applicant, and the benefits to be expected.

(d) Payments may be in advance or by reimbursement.

(e) The services, facilities, and personnel

of the Bureau of Commercial Fisheries may be used, with the consent and cooperation of the Secretary of the Interior.

Section 308. *Rules and Regulations; Applicability of Title.*—This, like Section 220, Title II, and Section 14 of Title I, gives the authority to the Secretary to make necessary rules and regulations.

Section 309. *Effect on Existing Federal Fish Inspection Programs.*—Existing programs are to remain in effect until the effective date

for the mandatory inspection program under this Title.

Section 310. *Authorization for appropriations.*—Sums necessary to carry out the provisions of this Title are to be appropriated

Section 311. *Separability of Provisions.*—Like Section 222, Title II and Section 102 of Title I, this Section provides that if part of the statute is held invalid, the provisions of the rest of the title will remain in force.



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