

and passed fish. Some food products may contain bacteria that could cause illness if the product is mishandled and cooked improperly. For your protection, follow these safe handling instructions.” This statement shall be placed immediately after the heading and before the safe handling statements.

(2) In the labeling statements, “Keep raw fish separate from other foods. Wash working surfaces (including cutting boards), utensils, and hands after touching raw fish. (A graphic illustration of soapy hands under a faucet shall be displayed next to statement.)”

(d)(1) Labels and labeling of fish in the order Siluriformes and the products of those fish must bear the appropriate common or usual names of the fish. For example, among fish in the family Pangasiidae, the labels and labeling for fish of the species *Pangasius bocourti* must bear the term “basa”; for the species *Pangasius hypophthalmus* or *Pangasionodon hypophthalmus*, “swai,” “tra,” or “sutchi.”

(2) The labels and labeling only of fish and fish products within the family Ictaluridae may bear the term “catfish.”

(e) The requirements in part 441 of this chapter, governing water retained from processing in raw meat and poultry, apply to retained water in fish. The requirements in part 442 of this chapter, governing quantity of contents labeling, the testing of scales, and the handling of product that is found to be out of compliance with net weight requirements, apply to fish and fish products.

(1) Packages of frozen or fresh-frozen fish carcasses or parts must be labeled to reflect 100-percent net weight after thawing. The de-glazed net weight must average 100 percent of the stated net weight of the frozen product when sampled and weighed according to the method prescribed in National Institute of Standards and Technology (NIST) Handbook 133 Chapter 2, Section 2.6.<sup>1</sup>

(2) [Reserved]

<sup>1</sup>U.S. Department of Commerce. NIST Handbook 133: Checking the Net Contents of Packaged Goods, 2013. Washington, DC.

(f) *Nutrition labeling.* The requirements for nutrition labeling of meat and meat food products in part 317, subpart B, of this chapter, also apply to the labeling of fish and fish food products.

(g) *Label approval.* The requirements for the label approval of meat and meat food products in part 412 of this chapter, also apply to the labeling of fish and fish products.

## PART 544—FOOD INGREDIENTS PERMITTED

AUTHORITY: 21 U.S.C. 601–602, 606–622, 624–695; 7 CFR 2.7, 2.18, 2.53.

### § 544.1 Use of food ingredients.

(a) No fish product may bear or contain any food ingredient that would render it adulterated or misbranded or that is not approved in part 424 of this chapter, or in this part or elsewhere in this subchapter, or by the Administrator in specific cases.

(b) [Reserved]

[80 FR 75616, Dec. 2, 2015]

## PART 548—PREPARATION OF PRODUCTS

Sec.

548.1 Preparation of fish products.

548.2 Requirements concerning ingredients and other articles used in the preparation of fish products.

548.3 Samples of products, water, dyes, chemicals, etc. to be taken for examination.

548.4 [Reserved]

548.5 Ready-to-eat fish products.

548.6 Canning and canned products.

548.7 Use of new animal drugs.

548.8 Polluted water contamination at establishment.

548.9 Accreditation of non-Federal chemistry laboratories.

AUTHORITY: 7 U.S.C. 1633; 21 U.S.C. 601–602, 606–695; 7 CFR 2.7, 2.18, 2.53.

SOURCE: 80 FR 75616, Dec. 2, 2015, unless otherwise noted.

### § 548.1 Preparation of fish products.

(a) All processes used in preparing any fish product in official establishments shall be subject to inspection by

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Program employees unless such preparation is conducted as or consists of operations that are exempted from inspection under 9 CFR 303.1. No fixtures or appliances, such as tables, trucks, trays, tanks, vats, machines, implements, cans, or containers of any kind, shall be used unless they are of such materials and construction as will not contaminate or otherwise adulterate the product and are clean and sanitary. All steps in the preparation of edible products shall be conducted carefully and with strict cleanliness in rooms or compartments separate from those used for inedible products.

(b) It shall be the responsibility of the operator of every official establishment to comply with the Act and the regulations in this subchapter. To carry out this responsibility effectively, the operator of the establishment shall institute appropriate measures to ensure the maintenance of the establishment and the preparation, marking, labeling, packaging and other handling of its products strictly in accordance with the sanitary and other requirements of this subchapter.

### **§ 548.2 Requirements concerning ingredients and other articles used in the preparation of fish products.**

All ingredients and other articles used in the preparation of any fish product must be clean, sound, healthful, wholesome, and otherwise such as will not result in the product's being adulterated.

### **§ 548.3 Samples of products, water, dyes, chemicals, etc. to be taken for examination.**

Samples of products, water, dyes, chemicals, preservatives, spices, or other articles in any official establishment shall be taken, without cost to the Program, for examination, as often as may be deemed necessary for the efficient conduct of the inspection.

### **§ 548.4 [Reserved]**

### **§ 548.5 Ready-to-eat fish products.**

Ready-to-eat fish products are subject to the requirements in part 430 of this chapter.

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### **§ 548.6 Canning and canned products.**

The requirements for canning and canned products in 9 CFR part 431 apply to fish products that are canned.

[80 FR 75616, Dec. 2, 2015, as amended at 83 FR 25325, May 31, 2018]

### **§ 548.7 Use of new animal drugs.**

Edible tissues of fish with residues exceeding tolerance levels specified in 21 CFR part 556 or established in an import tolerance under 21 U.S.C. 360b(a)(6) are adulterated within the meaning of section 402(a)(2)(C)(ii) of the Federal Food, Drug, and Cosmetic Act because they bear or contain a new animal drug that is unsafe within the meaning of section 512 of the Federal Food, Drug, and Cosmetic Act.

### **§ 548.8 Polluted water contamination at establishment.**

In the event that there is polluted water (including but not limited to flood water) in an official establishment, all products and ingredients for use in the preparation of the products that have been rendered adulterated by the water must be condemned. After the polluted water has receded from the establishment, the establishment must follow the cleaning and sanitizing procedures in § 318.4 of this chapter.

### **§ 548.9 Accreditation of non-Federal chemistry laboratories.**

A non-Federal analytical laboratory that has met the requirements for accreditation specified in 9 CFR part 439 and hence, at an establishment's discretion, may be used in lieu of an FSIS laboratory for analyzing official regulatory samples. Payment for the analysis of regulatory samples is to be made by the establishment using the accredited laboratory.

## **PART 549 [RESERVED]**

## **PART 550—RECORDS REQUIRED TO BE KEPT**

Sec.

550.1 Records required to be kept.

550.2 Place of maintenance of records.

550.3 Record retention period.