

Chapter 603

1955 REPLACEMENT PART

Regulation of Meat Dealers to Prevent Theft

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CROSS REFERENCES

Collection of brand inspection fees by slaughterer or meat packer, 604.400
Inspection of livestock by brand inspector before slaughter, 604.360
Record of livestock brands and marks at stockyards, 604.210
State meat inspection program, 619.610 to 619.830
Unclean slaughterhouses, 433.710

603.030
Appropriation of one-half of fees payable under paragraphs (a) and (c) of subsection (5), 1955 c.712 §21
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603.150
Administrative orders of state agencies, Ch. 183

603.010 Definitions. As used in this chapter:

(1) "Bona fide producer of livestock" means a person engaged in the production of meat food animals, poultry or rabbits.

(2) "Department" means the State Department of Agriculture.

(3) "Licensee" means any person licensed under this chapter.

(4) "Meat food animal" means domestic cattle, sheep, goats and swine.

(5) "Meat food products" means the fresh meats of meat food animals or poultry or rabbits which have not been smoked, dried, pickled, frozen or canned.

(6) "Place of business" means any place or building in which or at which the business of a licensee is conducted. Any group of buildings situated on contiguous property and used as an integral part of one business shall be considered as one place of business. In case a licensee does not have a fixed place of business, such as a licensee whose business consists only of wholesaling meat food products from a truck, the place of business of such licensee, for licensing purposes only, is his home or a designated business office from which his business is conducted.

(7) "Poultry" means chickens, ducks, geese, turkeys and all other domesticated fowls or birds used for human food purposes.

(8) "Primal part" means the shoulder, rib, loin, rump and hind quarter of each side of a meat food animal.

(9) "Slaughterhouse" means any building, plant, establishment, vehicle or structure, whether movable or stationary, where meat food animals or poultry or rabbits are killed or dressed, the meat or meat products of which are to be offered for sale for human consumption. [Amended by 1953 c.692 §6; 1955 c.724 §1]

603.020 Purpose of statutes. The purpose of this chapter is to protect the livestock industry within the state and to prevent theft of livestock, meat food animal carcasses or poultry or rabbits. [Amended by 1955 c.724 §2]

603.030 Licenses; issuance; fee; renewability; suspension; revocation. (1) No person shall:

(a) Slaughter meat food animals without having first obtained a license therefor from the department.

(b) Slaughter poultry or rabbits without having first obtained a license therefor from the department.

(c) Sell meat food products without having first obtained a license therefor from the department.

(2) Notwithstanding subsection (1) of this section, a person holding a meat food animal slaughtering license may slaughter poultry or rabbits or sell meat food products in or at his place of business, and a person holding a poultry or rabbit slaughtering license may sell meat food products in or at his place of business.

(3) The department may issue the licenses referred to in subsection (1) of this section. Application for a license must be made to the department, upon forms furnished by it, which shall contain:

(a) The name and postoffice address of the applicant.

(b) The exact location of the place of business for which the license is requested.

(c) The kind of license which is desired.

(4) The license fee provided for in this section shall accompany the application. Each license shall be renewable one year from the date of its issue. A license is personal to the applicant and shall not be transferred.

(5) The following license fees shall be paid by the applicant:

(a) License to slaughter meat food animals, \$100.

(b) License to slaughter poultry and rabbits, \$20.

(c) License to sell meat food products, \$20.

(6) (a) The department may suspend, revoke or refuse to renew or grant a license to any applicant whose slaughterhouse construction, equipment and management practices do not meet the requirements of ORS 619.010 to 619.240.

(b) In the case of suspension, revocation or refusal of a license, the procedure required by ORS 561.310 to 561.390 shall be followed.

(c) In the event that a licensee has been convicted of any violation of ORS 619.010 to 619.240, it shall be a sufficient revocation of his license when the department mails by registered mail, addressed to such licensee, at his address as shown by the records of the department, a notice that his license has been revoked. [Amended by

1953 c.692 §6; 1955 c.712 §20; 1955 c.724 §3]

Note: As indicated in the source note to ORS 603.030 that section was amended by two 1955 Acts, i.e., chapters 712 and 724, Oregon Laws 1955. Both amendatory Acts were approved by the Governor and filed in the office of the Secretary of State at the same time and on the same date. However, final legislative action on chapter 712 was taken May 2, 1955, while final legislative action on chapter 724 was taken on April 27, 1955. ORS 603.030, as amended by section 20, chapter 712, Oregon Laws 1955, has been compiled; ORS 603.030, as amended by section 3, chapter 724, Oregon Laws 1955, has not been compiled. The only differences in the two sections are in paragraphs (a) and (c) of subsection (5), the fees being \$100 and \$20, respectively, in chapter 712 compared with \$50 and \$10 in chapter 724.

603.033 Persons exempted from license requirements. (1) This chapter shall not be construed to require a bona fide producer of livestock to obtain a license to slaughter meat food animals or poultry or rabbits or to sell meat food products derived from such animals if such animals have been in his possession for at least 30 days immediately prior to the date of slaughter.

(2) This chapter shall not be construed to require a person to obtain a license to slaughter a meat food animal, poultry or rabbit, owned by him for his own consumption and use. [1955 c.724 §5]

603.035 [1953 c.692 §5; repealed by 1955 c.724 §17]

603.040 Stamping devices for holders of licenses to slaughter meat food animals. The department shall furnish to each holder of a license to slaughter meat food animals a stamp for the stamping of carcasses of meat food animals. Every holder of such a license shall make a deposit of \$10 with the department for such stamp. Upon return of the stamp, the deposit shall be returned to the licensee. If a stamp is lost or destroyed, the department shall issue a new stamp upon receiving an additional deposit of \$10. The stamp shall be kept in the place of business of the licensee, shall remain the property of the State of Oregon and shall be for the exclusive use of the licensee during the lifetime of his license. Any person receiving such stamp must return the same to the department upon the expiration of his license. [Amended by 1953 c.692 §6; 1955 c.724 §6]

603.050 Posting of license. The license of each licensee must be displayed at all times in a conspicuous manner within his

place of business. The words "Oregon License," followed by the establishment number, must be printed in a conspicuous place on all vehicles owned or used by a meat food animal slaughtering licensee in transporting meat food products. The letters of such words and the numbers appearing on vehicles must be at least three inches in height. [Amended by 1955 c.724 §7]

603.060 Prohibited conduct relating to the sale, possession or transportation of meat, animals and poultry. No person:

(1) Shall sell or transport a meat food animal carcass or primal part which has not been tagged or stamped with a bona fide producer's tag, or a licensee's stamp.

(2) Shall purchase, receive or be in possession of a meat food animal carcass or primal part which is not stamped or tagged, wherever such tagging or stamping is required by the provisions of this chapter.

(3) Receiving a tagged meat food animal carcass or primal part, shall fail to retain possession of the tag, in numerical order, for one year from the date of receiving the tagged carcass or primal part.

(4) Shall refuse to permit a peace officer, authorized employee of the department or other officer authorized by this chapter, to inspect at any time tags in the possession of the person. [Amended by 1955 c.724 §8]

603.070 Meat food producer's tags. Bona fide producer's tags referred to in ORS 603.060 shall be prepared and numbered serially in a manner and form prescribed by the department. The tags shall be distributed by the department through its brand inspectors employed pursuant to ORS chapter 604, or such other agencies as it may select. The tags shall be furnished by the department without cost to the bona fide producer. Before issuing a tag to a bona fide producer, a brand inspector or other agency shall satisfy himself that the person requesting the tag is in lawful possession of the animal to be slaughtered. If the animal bears a brand recorded for a person other than the person requesting the tag, the brand inspector or other agency may require the person requesting the tag to produce a bill of sale or other evidence of ownership or right of possession. [Amended by 1955 c.724 §9]

603.080 Stamping of carcasses. (1) A person holding a license to slaughter meat

food animals must stamp, with the stamp issued to him by the department, all carcasses of meat food animals killed by him. He must affix such stamp with ink approved by the department and must stamp the carcass plainly and legibly on each primal part. He shall apply the stamp on the outside of the primal part as soon as practicable after removal of the hide but in any event prior to removing the carcass or primal parts from the slaughterhouse. In case the hide is not removed at the time of slaughter the licensee shall stamp the inside of the carcass.

(2) For the purposes of this chapter, any inspection stamp legally applied by authority of a meat inspection service enforced by the United States Department of Agriculture, the department or a municipality operating a meat inspection service approved by the department, shall be considered the equivalent of the stamp bearing the establishment number of the licensee. [Amended by 1955 c.724 §10]

603.090 [Repealed by 1955 c.724 §17]

603.100 [Repealed by 1955 c.724 §17]

603.110 [Repealed by 1955 c.724 §17]

603.120 Record of purchases of poultry or rabbits. No person slaughtering poultry or rabbits shall fail to complete a record of all purchases of poultry or rabbits made by him. Such record shall include:

(1) The number and kind of poultry or rabbits.

(2) When and from whom received.

(3) Other information which the department may deem necessary to carry out the intent and provisions of this chapter. [Amended by 1955 c.724 §11]

603.130 [Repealed by 1955 c.724 §17]

603.140 Enforcement officers. All authorized officers, employees and deputies of the department, peace officers, traffic officers, forest reserve officers and brand inspectors must investigate the movement of meat food animals, poultry or rabbits or meat food products on roads and highways, trails and ranges, and ascertain whether such animals or products are being moved in accordance with the provisions of this chapter, and by the legal owner or with his permission. [Amended by 1955 c.724 §12]

603.150 Enforcement duties of department. The department shall enforce this chapter, and may prescribe the size and form of any marks and brands and the kind of ink required to be used in stamping or marking carcasses or parts thereof which are required to be stamped. The department shall keep a permanent record of all places licensed under this chapter. [Amended by 1955 c.724 §13]

603.160 Retention of hides by persons not regularly engaged in business of slaughtering. (1) Any person not regularly engaged in the business of slaughtering cattle, who, at any time, slaughters any cattle, must retain in his possession the hides taken off of such cattle, with the ears attached thereto, without any alteration of the marks on it, or any disfiguration of the brand, for a period of 30 days. Any owner of cattle may, within such period, demand an exhibition of the hide of any cattle so slaughtered by the person killing it, or by any other person for whose use or benefit such animal was killed. Upon such demand being made, he must produce the hide for inspection.

(2) Proof that any person, not regularly engaged in the business of slaughtering cattle, failed to retain in his possession the hides taken off of such cattle with the ears attached thereto, without any alteration of the marks on it or any disfiguration of the brands for the period of 30 days, shall be prima facie evidence of the violation of this section.

603.170 [Repealed by 1955 c.724 §17]

603.180 Disposition of fees. All fees received by the department during any calendar month, resulting from the operation of this chapter, must be paid into the State Treasury within the first 10 days of the following month. Thereupon the State Treasurer shall place any sums so received to the credit of the Department of Agriculture Account in the General Fund. Any payments so received shall constitute an appropriation of such payments from the General Fund to the credit of the Department of Agriculture Account for the purpose of carrying into full force and effect the specific provisions of this chapter.

603.190 Jurisdiction of courts. Justice of the peace courts and district courts have

concurrent jurisdiction with the circuit courts under this chapter. [Amended by 1955 c.724 §14]

by a fine not exceeding \$500 or by imprisonment in the county jail not exceeding six months, or both.

603.990 Penalties. (1) Violation of any of the provisions of ORS 603.010 to 603.150 or 603.180 is punishable, upon conviction,

(2) Violation of ORS 603.160 is punishable, upon conviction, by a fine not exceeding \$100 or by imprisonment in the county jail not exceeding 90 days, or both.

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Sam R. Haley, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.

Done at Salem, Oregon,
on October 15, 1955

Sam R. Haley
Legislative Counsel