



Internet Sales of State Inspected Product

Question:

Can State inspected product that is further processed at a retail store be shipped in interstate commerce?

Answer:

No, it cannot be. Under 21 USC 661(a)(1), a State may establish inspection programs for meat and meat food products for distribution solely within the State. Moreover, under 9 CFR 303.1(d)(2), State inspected product, as well as Federally inspected product, may be used in the preparation of a product at a retail store, and the preparation of that product may be exempt from inspection. The regulation 9 CFR 303.1(d) only creates an exemption from inspection, however. It does not convey an authorization for product to move in commerce. Thus, State inspected product that can only be distributed intrastate, cannot move interstate by virtue of the fact that it was further processed in a retail store.

Source:

askFSIS question dated 4/3/2008, found at <http://askfsis.custhelp.com>.