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State Meat Inspection Laws:

Arizona



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State Meat Inspection Laws: Arizona

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A.R.S. tit. 3, Ch. 13

Current through legislation effective March 27, 2020 of the Second Regular Session of the Fifty-Fourth Legislature (2020).

§ 3-2001. Definitions

In this chapter, unless the context otherwise requires:

1. “Adulterated” shall apply to any carcass, part thereof, meat or meat food product under one or more of the following circumstances if:

(a) It bears or contains any poisonous or deleterious substance which may render it injurious to health, but in case the substance is not an added substance, such article shall not be considered adulterated if the quantity of such substance in or on such article does not ordinarily render it injurious to health.

(b) It bears or contains, by reason of administration of any substance to the live animal or otherwise, any added poisonous or added deleterious substance other than one which is a pesticide chemical in or on a raw agricultural commodity, a food additive or a color additive which may in the judgment of the director or his authorized representative make such article unfit for human food.

(c) It is, in whole or in part, a raw agricultural commodity and such commodity bears or contains a pesticide chemical which is unsafe within the meaning of § 408 of the federal food, drug and cosmetic act,¹ any food additive which is unsafe within the meaning of § 409 of the federal food, drug and cosmetic act² or any color additive which is unsafe within the meaning of § 706 of the federal food, drug and cosmetic act.³ An article which is not otherwise deemed adulterated under this subdivision is

nevertheless deemed adulterated if use of the pesticide chemical, food additive or color additive in or on such article is prohibited by rules of the director.

(d) It consists in whole or in part of any substance unfit for human food.

(e) It has been prepared, packed or held under unsanitary conditions whereby it may have become contaminated with filth or whereby it may have been rendered injurious to health.

(f) It is in whole or in part the product of any animal which has died otherwise than by slaughter.

(g) Its container is composed in whole or in part of any poisonous or deleterious substance which may render the contents injurious to health.

(h) It has been intentionally subjected to radiation, unless the use of the radiation was in conformity with a regulation or exemption in effect pursuant to § 409 of the federal food, drug and cosmetic act.

(i) Any valuable constituent has been in whole or in part omitted or abstracted therefrom, or if any substance has been substituted, wholly or in part therefor, or if damage or inferiority has been concealed in any manner, or if any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality or strength, or make it appear better or of greater value than it is.

(j) It is margarine containing animal fat and any of the raw material used therein consisted in whole or in part of any substance unfit for human food.

2. "Arizona inspected and passed" means the carcasses and parts of carcasses have been inspected, stamped and passed in slaughtering establishments with state meat inspection service, and the carcasses and parts of carcasses used by such a slaughtering establishment or by a meat processor have been re-inspected and the operations in the preparation of meat and meat food products have been approved in accordance with the provisions of this chapter.

3. "Associate director" means the associate director of the division.

4. "Broker" means a person engaged in the business of buying or selling carcasses, parts of carcasses, meat or meat food products of livestock on commission or otherwise negotiating purchases or sales of such articles other than for his own account or as an employee of another person.

5. "Carcass" means all parts, including viscera, of a slaughtered animal that are capable of being used for human food.

6. "Chief veterinary meat inspector" means a qualified licensed veterinarian appointed by the director to supervise the state meat inspection service for the state and to carry out the provisions of this chapter.

7. "Condemned" means the carcass, the viscera, parts of carcasses, meat, meat by-product or meat food products, so marked or identified, is unsound, unhealthful, unwholesome or otherwise unfit for human food, or an animal which has been inspected and found to be in a dying condition or affected with any other condition or disease that would require condemnation of its carcass.

8. "Distributor" means a person, firm or corporation that is engaged in the business of receiving carcasses, meat, meat food products, meat by-products, poultry or poultry products from state or federally inspected establishments and storing and distributing properly identified products to commercial outlets, processors or individuals and that conducts no processing.

9. "Division" means the animal services division of the Arizona department of agriculture.

10. "Establishment" means a mobile or stationary building, plant, vehicle or structure where meat or meat food products are slaughtered or processed or offered for sale.
11. "Exempt processor" means any person preparing for compensation carcasses, meat or meat food products derived from the slaughter by any individual of cattle, sheep, swine or goats, or game animals delivered by the owner for such processing and the intrastate transportation of meat food products exclusively for use by the owner, his family, members of his household, and his nonpaying guests and employees.
12. "Exempt slaughterer" means a person engaged for compensation in this state in the business of slaughtering or dressing animals for human consumption which are not to be sold or offered for sale.
13. "Inspector" includes chief veterinary meat inspector, veterinary meat inspector, lay meat inspector, livestock officer or any other employee appointed by the associate director, with the approval of the director, to carry out the purposes of this chapter, the livestock laws and rules adopted thereunder.
14. "Lay meat inspector" means any person qualified by the chief veterinary meat inspector and appointed by the associate director, with the approval of the director, to work under the supervision of the chief veterinary meat inspector.
15. "Livestock officer" means a livestock officer employed by the department pursuant to § 3-1208.
16. "Meat" means the edible part of the muscle of cattle, sheep, swine, goats or equines which is skeletal or which is found in the tongue, in the diaphragm, in the heart or in the esophagus, with or without the accompanying and overlying fat, and the portions of bone, skin, sinew, nerve and blood vessels which normally accompany the muscle tissue and which are not separated from it in the process of dressing. It does not include the muscle found in the lips, snout or ears.
17. "Meat by-product" means any edible part other than meat which has been derived from one or more cattle, sheep, goats, swine, horses, mules or other equines.
18. "Meat food product" means any article of food or any article intended for or capable of being used as human food which is derived or prepared, in whole or in substantial and definite part, from any portion of any cattle, sheep, swine, goats, horses, mules or other equines, except such articles as organotherapeutic substances, meat juice, meat extract, and the like, which are only for medicinal purposes and are advertised only to the medical profession.
19. "Meat processor" means any person, including jobbers, wholesalers or slaughtering establishments, who changes meat or meat food products in any way by cutting, mixing, blending, canning, curing or otherwise preparing meat or meat food products for human consumption.
20. "Meat wholesaler or jobber" means any person with an established place of business who buys meat or meat food products and offers them for resale, for sale to restaurants or for sale to the consuming public.
21. "Misbranded" shall apply to any carcass, part thereof, meat or meat food product under one or more of the following circumstances, if:
 - (a) Its labeling is false or misleading in any particular.
 - (b) It is offered for sale under the name of another food.

(c) It is an imitation of another food, unless its label bears in contrasting color, and in type of uniform size and prominence, the word "imitation" and immediately thereafter, the name of the food imitated.

(d) Its container is so made, formed or filled as to be misleading.

(e) In a package or other container unless it bears a label showing the name and place of business of the manufacturer, packer or distributor and an accurate statement of the quantity of the contents in terms of weight, measure or numerical count, provided that reasonable variations may be permitted, and exemptions as to small packages or articles not in packages or other containers may be established, by rules prescribed by the director.

(f) Any word, statement or other information required to appear on the label or other labeling is not prominently placed thereon with such conspicuousness, as compared with other words, statements, designs or devices in the labeling, and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

(g) It purports to be or is represented as a food for which a definition and standard of identity or composition has been prescribed by rules of the director unless it conforms to such definition and standard, and its label bears the name of the food specified in the definition and standard and, insofar as may be required by such rules, the common names of optional ingredients, other than spices, flavoring and coloring, present in such food.

(h) It purports to be or is represented as a food for which a standard or standards of fill of container have been prescribed by rules of the director and it falls below the standard of fill of container, unless its label bears, in such manner and form as such rules specify, a statement that it falls below such standard.

(i) It is not subject to the provisions of subdivision (g), unless its label bears both:

(i) The common or usual name of the food, if any.

(ii) In case it is fabricated from two or more ingredients, the common or usual name of each such ingredient, except that spices, flavorings and colorings may, when authorized by the department, be designated as spices, flavorings and colorings without naming each. To the extent that compliance with the requirements of this item is impracticable, or results in deception or unfair competition, exemptions shall be established by rules of the director.

(j) It purports to be or is represented for special dietary uses, unless its label bears such information concerning its vitamin, mineral and other dietary properties as the director, after consultation with the secretary of health and human services of the United States, determines to be and by rules prescribes as necessary in order fully to inform purchasers as to its value for such uses.

(k) It bears or contains any artificial flavoring, artificial coloring or chemical preservative, unless it bears labeling stating that fact. To the extent that compliance with the requirements of this subdivision is impracticable, exemptions shall be established by rules of the director.

(l) It fails to bear directly thereon or on its containers, as the director may by rules prescribe, the inspection legend and, unrestricted by any of the foregoing, such other information as the director may require in such rules to assure that it will not have false or misleading labeling and that the public will be informed of the manner of handling required to maintain the article in a wholesome condition.

22. "Peddler" means any person without an established place of business who buys meat or meat food products and offers them for resale, for sale to restaurants or for sale to the consuming public.

23. "Restaurant" means any person who cooks or otherwise prepares and serves meat or meat food products for consumption by the ultimate consumer.

24. "Retailer" means any person other than a restaurant who sells meat or meat food products to the ultimate consumer.

25. "Slaughter" means to kill cattle, sheep, swine, goats, horses, mules or other equines and to prepare the carcasses or parts of carcasses for human consumption.

26. "Slaughterer" means any person who slaughters cattle, sheep, swine, goats, horses, mules or other equines in a slaughtering establishment and prepares the carcasses or parts of carcasses for human consumption.

27. "Slaughtering establishment", "slaughterhouse" or "slaughtering plant" includes all premises where animals are slaughtered and prepared for food purposes.

28. "State meat inspection service" means the meat inspection provided in §§ 3-2041 through 3-2047 and §§ 3-2049, 3-2051 and 3-2052, providing approved slaughtering plants with inspectors during all periods of slaughter to conduct antemortem and postmortem inspections of all cattle, sheep, swine, goats, horses, mules or other equines slaughtered.

29. "Veterinary meat inspector" means a qualified licensed veterinarian appointed by the associate director, with the director's approval, to work under the direction of the chief veterinary meat inspector.

§ 3-2002. Application for license to slaughter

Every person, including an exempt slaughterer, before he begins or carries on the slaughter of livestock, sheep, goats or swine for compensation, shall make written application to the division for a license to slaughter, stating that the applicant will comply with the law and will not slaughter animals, or sell, exchange, or expose for sale the meat thereof, except in conformity with the law relating thereto and the rules of the director.

§ 3-2003. Grant of licenses; fees; expiration date

A. The division may grant a license to slaughter livestock, sheep, goats or swine as set forth in the license issued upon payment of the fees and presentation of proof that the applicant is law-abiding, trustworthy and of good moral character.

B. The fees shall be as follows:

1. For not to exceed forty-five head of livestock, and not to exceed fifty-five head of sheep, goats or swine in one calendar year, five dollars.

2. For more than forty-five and not to exceed one hundred fifty head of livestock and more than forty-five and not to exceed one hundred sixty head of sheep, goats or swine in one calendar year, fifteen dollars.

3. For more than one hundred fifty head of livestock and more than one hundred sixty head of sheep, goats or swine in any one calendar year, eighty dollars.

C. Licenses issued under the provisions of this section shall expire on December 31 of the year in which issued.

§ 3-2004. Place of slaughter

Every person licensed to slaughter livestock, sheep, goats, swine, horses, mules or other equines for sale or exchange shall slaughter animals in an established and recognized slaughterhouse kept by the licensee for that purpose, or in a slaughterhouse established by the authorities of a city or town.

§ 3-2005. Licensee's record of animals purchased or slaughtered; monthly copy for the department; violation; classification

A. Every person licensed to slaughter livestock, sheep, goats, swine or equines shall keep an accurate record in a book maintained for that purpose of all such animals purchased or slaughtered. The record shall include a description of all animals purchased or slaughtered, the marks and brands, if any, the name and residence of the person from whom purchased and the date of such purchase. The licensee shall at the end of each month make a true copy of the record for that month, which he shall keep on his premises for one year.

B. A person who knowingly fails to keep the record required by this section, or who refuses to exhibit it to an inspector or other authorized representative of the department who demands that it be exhibited, is guilty of a petty offense.

§ 3-2006. Preslaughter brand inspection of hides

A. Every person licensed as an exempt slaughterer of livestock, sheep, goats or equines shall, before slaughter, notify the nearest livestock officer of the location of the slaughter and the time it is proposed to slaughter the animals.

B. Livestock shall not be slaughtered until the animals have been inspected, unless inspection before slaughter is waived by the associate director. When livestock are slaughtered, the livestock officer shall inspect the hides for brands and marks, and tag or mark the same in the manner established by the division, unless such tagging or marking is waived by the associate director.

§ 3-2007. Purchase of uninspected hide; classification; exception

It is unlawful to purchase or otherwise acquire possession of a hide of any livestock until the hide has been inspected for brands and marks. Possession of an untagged or unmarked hide upon which the tagging or marking has not been waived by the director is a class 2 misdemeanor unless the person possessing the hide can show that it was taken from an animal owned by him at the time of slaughter or after death, or that he had written authority from the owner to remove the hide from the carcass.

§ 3-2008. Receiving uninspected hides for transportation; sale of uninspected hides; classification

A. It is unlawful for a person to receive for transportation hides of livestock until they have been brand inspected, and it is unlawful for any person to sell hides of livestock until they have been brand inspected, unless such brand inspection is waived by the director.

B. A person violating this section is guilty of a class 3 misdemeanor.

§ 3-2009. Transfer of license without fee

If a person who is a licensee under the provisions of this article sells or otherwise disposes of his slaughtering business, together with the goodwill thereof, and the purchaser or transferee continues the business at the same location, substantially in the same manner and under the same business name as it was conducted by the seller, the license of the original licensee may be transferred to the new owner without payment of a license fee if the new owner submits to the division:

1. An affidavit stating, under penalty of perjury, that the new owner will comply with the law and will not slaughter animals or sell, exchange or expose meat for sale except according to law and the rules of the director.
2. Evidence that the new owner is law-abiding, trustworthy and of good moral character.

§ 3-2010. Identification of animals with drug residue; violation; classification

A. The owner of an animal which has been treated with an antibiotic which has a specific withdrawal period shall not market the animal for slaughter or through a livestock auction unless either:

1. The stated withdrawal period has expired.
2. The animal is identified and the restrictions disclosed to all potential buyers.

B. A producer who has been notified and is currently under United States department of agriculture restrictions for residue violations shall disclose that fact and identify animals he markets. Such a producer may certify that the animal has undergone the prescribed withdrawal period required for slaughter.

C. The identification prescribed by subsections A and B shall accompany the animal for at least thirty days or until it is slaughtered.

D. The division shall determine the method for identifying animals as required by this section.

E. A person who violates this section is guilty of a class 2 misdemeanor.

§ 3-2011. Slaughter of animals by producer or owner for own use; inspection of hides; violation; classification

A. Producers or owners who slaughter livestock, sheep, goats, swine or equines for the purpose of using the meat for food for themselves, their immediate family or employees, and not for sale, shall not be required to procure a special permit or a license to slaughter as required by this article, but the whole hide of all livestock so slaughtered, except swine, shall be hung in a conspicuous place on the premises of the producer or owner and kept there until the hide has been inspected and marked or tagged by a livestock officer. The meat from the livestock so slaughtered shall not be removed from the premises of the producer or owner without being stamped "not for sale" by the livestock officer.

B. A person other than the owner or producer who slaughters livestock described in subsection A shall keep the whole hide of all livestock so slaughtered except swine until the hide has been inspected and marked or tagged by a livestock officer and the meat from the livestock so slaughtered has been stamped "not for sale" by the livestock officer.

C. Every person who slaughters livestock of another as described in subsection B shall be licensed pursuant to rules of the director.

D. A person failing to comply with this section is guilty of a class 2 misdemeanor.

§ 3-2012. Secreting hide; defacement of mark or brand; classification

A person who knowingly secretes a hide of livestock, or who, before a hide is inspected, knowingly obliterates or defaces any mark or brand on a hide, is guilty of a class 2 misdemeanor.

§ 3-2013. Slaughter of animals for compensation without license; classification

A person slaughtering any livestock, sheep, goats, swine, horses, mules or other equines, for compensation without first procuring a license to slaughter as provided in this article, is guilty of a class 2 misdemeanor.

§ 3-2014. Limitation

A. Nothing in this chapter shall be construed to modify or repeal any provision of title 36, chapter 8, article 1,1 relating to adulteration and misbranding.

B. Nothing in this chapter shall be construed to modify or repeal any provision of title 36, chapter 1,2 relating to local boards and departments of health and the department of health services.

§ 3-2015. Cooperation with federal government

A. The director may cooperate with the secretary of agriculture of the United States in order to administer the provisions of this chapter in conjunction with the federal meat inspection act. Such cooperative efforts may include assistance in planning and otherwise developing the state program, technical and laboratory assistance and training and financial and other aid for the administration of the cooperative effort.

B. For the purposes prescribed by the terms of subsection A, the department may accept and expend federal funds.

§ 3-2016. Methods of slaughtering which are humane

No method of slaughtering or handling in connection with slaughtering shall be deemed to comply with the public policy of the state of Arizona unless it is humane. Either of the following two methods of slaughtering and handling are hereby found to be humane:

1. In the case of cattle, calves, horses, mules, sheep, swine, and other livestock, all animals are rendered insensible to pain by a single blow or gunshot or an electrical, chemical or other means that is rapid and effective, before being shackled, hoisted, thrown, cast, or cut.
2. By slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith that prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument.

§ 3-2017. Exemption

- A. No slaughterer, packer or stockyard operator shall bleed or slaughter any livestock except by a humane method, provided, that the chief state veterinary meat inspector may, by administrative order, exempt from compliance with this article, for a period not to exceed one year after the effective date of this article, any slaughterer, packer or stockyard operator if he finds that an earlier compliance would cause such person an undue hardship.
- B. No person slaughtering or butchering any livestock for his own use shall be subject to any of the provisions of this article.

§ 3-2041. Chief veterinary meat inspector; appointment of inspectors; qualifications; bond

- A. The associate director, with the approval of the director, shall employ an Arizona licensed veterinarian as chief veterinary meat inspector. The chief veterinary meat inspector must have at least four years' experience of meat inspection work in slaughtering establishments. The duties of the chief veterinary meat inspector shall be to supervise the state meat inspection service and enforce and efficiently carry out the provisions of this chapter, so as to assure the public that only pure and wholesome meats are offered for sale.
- B. Upon qualification by the chief veterinary meat inspector, the associate director, with the director's approval, shall employ veterinary meat inspectors and lay meat inspectors who shall be responsible to the chief veterinary meat inspector and who shall conduct antemortem and postmortem inspections, enforce sanitary requirements, perform other duties necessary to conduct proper meat inspection and carry out the provisions of this chapter. The director may also assign personnel from the office of inspections to perform inspections under this chapter under the supervision of the chief veterinary meat inspector.
- C. An inspector assigned to a slaughtering establishment with state meat inspection service shall neither be related to the management of such establishment nor have a financial interest therein.
- D. Each inspector shall take the oath of office.

§ 3-2042. Inspection stamps and establishment numbers

- A. The division shall provide meat inspection stamps and assign establishment numbers to all slaughtering establishments which have been approved and granted state meat inspection service by the division, and the stamps shall contain the words "Arizona inspected and passed" or "Arizona inspected and condemned". The division shall also provide meat inspection stamps and assign establishment numbers to all meat processors which have been approved in accordance with the requirements as provided in § 3-2054, and the stamps shall also contain the words "Arizona inspected and passed" or "Arizona inspected and condemned". The inspection stamps shall be designed so as not to be in conflict with the inspection stamps of the United States department of agriculture.

B. Approved slaughtering establishments with state meat inspection service and establishment numbers, and meat processors with assigned establishment numbers, shall use the inspection stamps on their processed meats and meat food products offered for sale.

C. The meat inspection stamps shall at all times be under the immediate jurisdiction of the meat inspector.

§ 3-2043. Assignment of inspectors

Slaughtering establishments granted state meat inspection service shall notify the chief veterinary meat inspector of their hours of slaughter, and the chief veterinary meat inspector shall assign inspectors to said establishments to conduct meat inspection. The chief veterinary meat inspector may assign one inspector to conduct inspection at two or more slaughtering establishments having state meat inspection service where the animals slaughtered are less than one hundred head per week at each establishment. The hours of the day and the days of the week shall be satisfactorily arranged with the slaughtering establishments so that the inspector is present at each establishment during all periods of slaughter. Slaughtering establishments wishing to slaughter in excess of eight hours in any one day or slaughter on holidays or Sundays may do so, and the chief veterinary meat inspector shall assign an inspector to conduct meat inspection. Slaughtering establishments shall pay fees to the department when such services are provided commensurate with actual wages incurred. No slaughtering establishment with state meat inspection service is permitted to slaughter any cattle, sheep, swine, goats, horses, mules or other equines unless there is an assigned inspector on the premises of the establishment during all periods of slaughter.

§ 3-2044. Antemortem and postmortem inspection

A. Slaughtering establishments which have state meat inspection service shall have an “antemortem inspection”. The inspector assigned to the slaughtering establishment shall examine each animal immediately prior to slaughter for the purpose of eliminating all unfit animals and segregating, for more thorough examination, all animals suspected of being affected with a condition which might influence their disposition on postmortem inspection. The unfit animals shall not be permitted to enter the slaughtering department of the plant, and the suspected animals shall not be permitted to enter the slaughtering department until they have been found by veterinary inspection to be fit for slaughter. The suspected animals that are permitted to be slaughtered shall be handled separate and apart from the regular kill and given a special postmortem examination.

B. Slaughtering establishments which have state meat inspection service shall have a “postmortem inspection”. The postmortem examination shall be made at the time the animals are slaughtered. The inspectors shall examine the cervical lymph glands, the skeletal lymph glands, the viscera and organs with their lymph glands, and all exposed surfaces of the carcasses of all cattle, calves, sheep, swine, goats, horses, mules or other equines. The examination shall be conducted in the slaughtering department of the plant during the slaughtering operations.

C. The chief veterinary meat inspector or any of his deputies shall have a state or federal laboratory make pathogenic examination of animals or parts thereof for completion of antemortem or postmortem inspection.

§ 3-2045. Condemnation and appeal

The inspector at slaughtering establishments with state meat inspection service shall condemn and so mark, stamp or tag all diseased or otherwise unfit carcasses and parts of carcasses, including the viscera. The condemned parts shall be removed from the slaughtering department of the plant in equipment designated for that purpose and shall be destroyed for food purposes under the supervision of the inspector. If any slaughtering establishment wishes to appeal a decision of an inspector as to

carcasses or parts of carcasses which have been condemned, the establishment may appeal the decision to the chief veterinary meat inspector. If such establishment is not satisfied and wishes to make a further appeal, it may submit such appeal to the director. Except as provided in § 41-1092.08, subsection H, final decisions of the director are subject to judicial review pursuant to title 12, chapter 7, article 6.1

§ 3-2046. Meat inspection rules; violation; classification

A. The director shall adopt reasonable rules necessary to assure that all meat and meat products subject to inspection under this article which are to be sold or distributed for human consumption are free from unwholesome, poisonous or other foreign substances and filth, insects or disease causing organisms. The rules shall provide reasonably necessary measures governing the production, processing, labeling, storing, handling and transportation of such products. The rules shall prescribe minimum standards for the sanitary facilities and conditions which shall be maintained at any plant, packing house or abattoir and in any truck or other vehicle in which meat or meat products are produced, processed, stored, handled or transported.

B. The director upon the advice of the chief veterinary meat inspector shall adopt reasonable rules, including, but not limited to, what the antemortem and postmortem inspection shall consist of, to carry out the purposes of this chapter. The rules shall conform so far as possible to the rules governing meat inspection of the United States department of agriculture. To the extent deemed appropriate by the director the rules may incorporate by reference existing federal meat inspection regulations, but in no case shall the rules exceed the requirements of the United States department of agriculture. All rules adopted to implement this section shall be adopted in compliance with title 41, chapter 6.1

§ 3-2047. Application for state meat inspection service

Any slaughtering establishment which wishes to conduct its slaughtering operations under state meat inspection service shall apply to the division for a license to slaughter as provided in § 3-2002. Establishments shall then make written application to the division requesting state meat inspection service. The associate director upon receipt of the application shall request the chief veterinary meat inspector to make an inspection of the premises of the slaughtering establishment making application. If the establishment is found clean and sanitary and meets the requirements of the provisions of this chapter, the associate director shall authorize the granting of state meat inspection service to the applicant. The division shall then assign an official establishment number to the approved slaughtering establishment to be used to mark the meat of the carcass and parts of carcasses which are offered for sale.

§ 3-2048. Inspection of slaughtering establishments without state meat inspection service

The chief veterinary meat inspector or his deputies are authorized to inspect the premises of all other slaughtering establishments operating without state meat inspection service at any time during their slaughtering operations. At least two inspections shall be made each year and additional inspections may be made if it is deemed necessary. If any slaughtering establishment is found to be unsanitary or conducting its slaughtering operations in an unsanitary or unwholesome manner so as to endanger the public health, or slaughtering animals unfit for human consumption, the associate director may suspend or revoke the license to slaughter as provided in § 3-1206. This section shall not in any way alter the powers of the department of health services in connection with slaughtering establishments.

§ 3-2049. Inspection fees

A. The cost of inspection shall be borne by this state, except as provided in § 3-2015 and except that the cost of overtime and holiday work performed in establishments subject to the provisions of this chapter, at such rates as the division may determine, shall be borne by such establishments. Sums

received by the department in reimbursement for sums paid out by it for such premium pay work shall be available to carry out the purposes of this section.

B. Any slaughtering establishment or meat processor may request in writing a hearing to determine the reasonableness or unreasonableness of the inspection fees required. A hearing officer shall conduct these hearings.

C. Inspection of meat and meat by-products for animal food which require a certificate or seal may be performed after payment of a reasonable fee.

D. All monies collected by the department shall be deposited, pursuant to §§ 35-146 and 35-147, in the state general fund.

§ 3-2050. Requirements for exempt processors

All exempt processors shall be licensed by the division pursuant to § 3-2003 and shall operate in a clean and sanitary condition during all periods of operation. The following are the minimum requirements for such establishments:

1. Each establishment shall have sanitary floors impervious to water.
2. All outside windows and doors shall be screened adequately and effectively.
3. There shall be an adequate supply of potable water and it shall conform with the minimum requirements of the department of health services.
4. There shall be an adequate sewage disposal system of such a type as not to be a breeding place for flies and not to constitute a hazard or to endanger public health and it shall conform with the minimum requirements of the department of health services.
5. The establishment shall be kept in a sanitary condition during all periods of slaughter.

§ 3-2051. Requirements for slaughtering establishments with state meat inspection service

A. All slaughtering establishments licensed by this state to slaughter cattle, sheep, swine, goats, horses, mules or other equines and which operate under state meat inspection service shall be kept in a clean and sanitary condition during all periods of operation. The following are the minimum requirements for such slaughtering establishments:

1. There shall be ample potable hot and cold water with adequate facilities for its distribution in the plant and it shall conform with the minimum requirements of the department of health services. The hot water shall be not less than one hundred eighty degrees Fahrenheit and shall be furnished and used for the cleaning of inspection equipment and other equipment, floors and walls.
2. There shall be an efficient drainage and plumbing system for the plant and there shall be an adequate sewage disposal system of such a type as not to be a breeding place for flies and not to constitute a hazard or to endanger public health. Both systems shall conform with the minimum requirements of the department of health services.
3. The floors, walls, ceilings, partitions, posts, doors and other parts of all structures shall be of such materials, construction and finish as will make them susceptible of being readily and thoroughly cleaned. The floors shall be tile, cement or a type to be impervious to water and shall have adequate drainage.
4. All outside windows and doors shall be adequately and effectively screened.

5. There shall be adequate lighting, natural or artificial, of good quality and well-distributed and sufficient ventilation for all rooms to insure sanitary conditions.

6. The slaughtering establishment shall be kept free from flies, rats, mice and other vermin. Dogs and cats shall be excluded from the plants.

7. There shall be provided tables, benches and other equipment on which inspection is performed so as to enable inspectors to conduct their inspection in an efficient, clean manner. Racks, receptacles, paunch trucks or other suitable devices for retaining such parts as the head, tongue, tail, thymus gland and viscera to enable the inspectors to properly conduct a postmortem examination shall also be provided.

8. Each slaughtering establishment shall have sufficient numbers of beef shrouds so that they may be laundered and cleaned between each use.

9. Each slaughtering establishment shall have a bleeding rail and hoist of such a construction that there will result proper bleeding after slaughter.

10. Each slaughtering establishment shall provide toilets, wash basins, towels, hot and cold running water and soap for their employees with separate facilities when both sexes are employed. Toilets and wash basins shall be kept in a sanitary condition. The rooms in which the toilet facilities are located shall be properly ventilated and shall be separated from the rooms in which animals are slaughtered and meat or meat food products are prepared.

11. Slaughtering establishments shall meet the requirements prescribed by this section and in addition shall comply with the building requirements of the federal meat inspection service.

B. All slaughtering establishments engaged in the sale of meat for human consumption shall be under the inspection service of either this state or the federal government.

§ 3-2052. Construction and remodeling of slaughtering establishments

A. Any person wishing to construct a slaughtering establishment and wishing to be granted state meat inspection service shall submit his proposed plant architectural drawings to the chief veterinary meat inspector who shall examine them and advise as to whether or not the plans meet the requirements of this chapter and whether they conform with the minimum requirements of the department.

B. Slaughtering establishments which have been granted state meat inspection service and which intend to do any remodeling of their slaughtering facilities shall submit their architectural drawings of such proposed remodeling to the chief veterinary meat inspector who shall examine them and advise as to whether or not the plans meet the requirements of this chapter and whether they conform with the minimum requirements of the department.

§ 3-2053. Slaughtering and mixing prohibition

A. It is unlawful to slaughter horses, mules or asses in the same slaughtering establishment as cattle, sheep, swine or goats, or to bring horse meat or inedible meat or meat products into establishments where meat or meat food products are prepared for human consumption from the meat of cattle, sheep, goats or swine.

B. It is unlawful to add horse meat to meat or meat food products prepared from the meat of cattle, sheep, goats or swine.

§ 3-2054. Requirements for meat processors

A. Establishment of meat processors licensed to prepare and offer for sale meat or meat food products shall meet the following requirements:

1. The floors shall be of suitable finish so that they may be kept clean and sanitary.
2. There shall be washable walls.
3. All outside windows and doors shall be screened.
4. There shall be adequate potable water conforming with the minimum requirements of the department of health services.
5. Employees shall be provided with adequate toilet and hand washing facilities with both hot and cold running water and separate facilities when both sexes are employed.
6. There shall be an adequate sewage disposal system of such type that it shall not be a breeding place for flies and shall not constitute a hazard or endanger public health and it shall conform with the minimum requirements of the department of health services.

B. All such processing establishments shall be maintained in a sanitary condition and the plant and premises shall be subject to inspection by the chief veterinary meat inspector or his deputies at any time during their operation, whether it be by day or night, and to every part of such establishment. At least one inspection shall be made daily and additional inspections may be made if it is deemed necessary. If such premises are found to be in an unsanitary condition or the operations are being conducted in an unsanitary manner so as to endanger public health, the associate director may suspend or revoke the license of the processing establishment as provided in § 3-1206. Meat processors are not subject to overtime fees for inspections under this section.

C. Any meat processor other than a slaughtering establishment which wishes to be assigned an establishment number shall make a written application to the division for a number. The division upon receipt of the application shall request the chief veterinary meat inspector to make an inspection of the premises of the meat processor. If the establishment is found clean and sanitary and meets the requirements of subsection A of this section, the associate director shall authorize the granting of an establishment number to the applicant. Applicants granted the use of an establishment number shall:

1. Have a daily inspection visit by the chief veterinary meat inspector or one of his deputies.
2. Allow all meats used for processing to be subjected to reinspection and condemnation in whole or in part, if necessary.
3. Permit the inspectors to inspect all the operations in the processing of meat and meat food products so as to assure that such operations are being conducted in a clean and wholesome manner and in conformity with the provisions of this chapter.
4. Use only "Arizona inspected and passed" meats or United States department of agriculture inspected and passed meats in the preparation of all meat and meat food products.

D. A slaughtering establishment with state meat inspection service which processes meat or meat food products shall:

1. Allow all meats used for processing to be subjected to reinspection and condemnation in whole or in part, if necessary.
2. Permit the inspectors to inspect all the operations in the processing of meat and meat food products so as to assure that such operations are being conducted in a clean and wholesome manner and in conformity with the provisions of this chapter.
3. Use only "Arizona inspected and passed" meats or United States department of agriculture inspected and passed meats in the preparation of all meat and meat food products.

§ 3-2055. Cooperation with other public health authorities

A. In carrying out the provisions of this chapter the director shall request the advice of and consult with the sanitary engineer or other qualified employees of the department of health services and the state laboratory in matters relating to potability of water, sewage systems and other sanitary conditions of slaughtering and meat processing establishments which might endanger public health.

B. In carrying out the provisions of this chapter, the associate director shall require the chief veterinary meat inspector or any of his deputies to advise him when any licensee in the opinion of such inspector fails to meet the minimum requirements of the department. The associate director may make an inspection of such premises, and if he confirms the findings of the chief veterinary meat inspector or the inspector's deputies, the associate director shall serve notice that the licensee's license to slaughter, state meat inspection service or assignment number will be suspended as provided in § 3-2096.

C. In carrying out the provisions of this chapter the director shall require the chief veterinary meat inspector, or any of his deputies, to advise the department of health services when any licensee, in the opinion of such inspector, fails to meet the minimum requirements of the department of health services. The department of health services may send its proper public health officer to make an inspection of such premises. If the department of health services inspector confirms the findings of the chief veterinary meat inspector or the inspector's deputies, the associate director shall serve notice that the licensee's license to slaughter, state meat inspection service or assignment number will be suspended as provided in § 3-2096.

D. The department shall cooperate with all state, local and municipal health authorities in requiring all slaughtering establishments and meat processing plants to maintain sewage systems which shall not contaminate water supplies and shall not endanger public health.

§ 3-2056. Inspection of meat; reentry inspection

A. All meat sold within this state shall be inspected by the department or the United States department of agriculture.

B. All meat or meat food products which may be brought into any slaughtering, meat canning, salting, packing, rendering or similar establishment shall be inspected for wholesomeness, cleanliness and markings by the agency or the United States department of agriculture before use. This inspection shall be made to all such products which, after having been issued from any slaughtering, meat canning, salting, packing, rendering or similar establishment, shall be returned to the same or to any similar establishment where such inspection is maintained.

§ 3-2057. Transportation of meat

No person, firm or corporation shall, with respect to any cattle, sheep, swine, goats, horses, mules, or other equines, or any carcasses, parts of carcasses, meat or meat food products of any such animals:

1. Slaughter any such animals or prepare any such articles which are capable of use as human food at any establishment preparing any such articles for intrastate commerce, except in compliance with the requirements of this chapter.
2. Sell, transport, offer for sale or transportation, or receive for transportation in intrastate commerce any such articles which are capable of use as human food and are adulterated or misbranded at the time of such sale, transportation, offer for sale or transportation or receipt for transportation, or any articles required to be inspected under this title unless they have been so inspected and passed.
3. Do, with respect to any such articles which are capable of use as human food, any act while they are being transported in intrastate commerce or held for sale after such transportation, which is intended to cause or has the effect of causing such articles to be adulterated or misbranded.

§ 3-2058. Inspection of sanitation

The director shall cause to be made, by experts in sanitation or by other competent inspectors, such inspection of all slaughtering, meat-canning, salting, packing, rendering or similar establishments in which cattle, sheep, swine, goats, horses, mules and other equines are slaughtered and the meat and meat food products thereof are prepared for sale as may be necessary to determine the sanitary conditions of the establishment, and to prescribe the rules of sanitation under which such establishments shall be maintained. If the sanitary conditions of any such establishment are such that the meat or meat food products are rendered adulterated, the director shall refuse to allow such meat or meat food products to be labeled, marked, stamped or tagged as "inspected and passed."

§ 3-2081. Licenses for sale or exchange of meat or poultry; fee; records kept by licensee; expiration of license; violation; classification

A. A person, firm or corporation that engages in the business of meat or poultry processing, wholesaling, storing in or for intrastate commerce, transporting in intrastate commerce, distributing, jobbing or brokering other than canned meat or poultry or canned meat or poultry products, except a home consumer, shall, before offering such meat or poultry or meat or poultry food products for sale or exchange, after complying with the minimum requirements of the director, procure a license from the division, for which he shall pay an annual license fee of ten dollars for each place of business, store, stand, market or vehicle in or from which the meat is to be sold or exchanged and shall keep a record of the name and address of each person from whom the licensee obtained such meat or meat food products, the date of purchase, quantity and kind of meat purchased and time and place of purchase. Upon request by an inspector or peace officer, the licensee shall exhibit the record to him. The record shall be retained for one year.

B. All licenses issued under the provisions of this article shall expire on December 31 of the year in which issued.

C. The following persons, firms and corporations shall keep such records as will fully and correctly disclose all transactions involved in their businesses and all persons, firms and corporations subject to such requirements shall at all reasonable times upon notice by a duly authorized representative of the department afford such representative access to their places of business and opportunity to examine the facilities and inventory and to take reasonable samples of their inventory upon payment of the fair market value:

1. Any persons, firms or corporations that engage in the business of slaughtering any cattle, sheep, swine, goats, horses, mules or other equines or preparing, freezing, packaging or labeling any carcasses or parts or products of carcasses of any such animals for use as human food or animal food.
2. Any persons, firms or corporations that engage in the business of buying or selling as meat brokers, wholesalers or otherwise or transporting or storing or importing any carcasses or parts or products of carcasses of any such animals.
3. Any persons, firms or corporations that engage in business as renderers or engage in the business of buying, selling, transporting or importing any dead, dying, disabled or diseased cattle, sheep, swine, goats, horses, mules or other equines or parts of the carcasses of any such animals that died otherwise than by slaughter.

D. Any record required to be maintained by this section shall be maintained for such period of time as the director may by rules prescribe.

E. A person violating any provision of this section is guilty of a class 2 misdemeanor.

§ 3-2082. Brand inspection of hides; violation; classification

A. The meat of livestock shall not be possessed, sold, offered for sale, given or exchanged unless the whole hide of the animal has been inspected for marks and brands and the meat thereof stamped as provided in this section, unless such hide inspection and meat stamping is waived by the director.

B. The hide of the animal shall be inspected for brands and marks and the hide marked as provided by the associate director so that it may be identified. The meat of the carcass shall be stamped "brand inspected" upon the hind quarter, side, shoulder, neck and shank of both sides of the carcass with a stamp adopted and furnished by the division.

C. This section shall not apply to producers who slaughter livestock for the purpose of using the meat as food for themselves or their immediate family or employees, nor shall this section be construed to require that meat bearing a federal or state meat inspection stamp be stamped as provided in this section unless the possessor so desires.

D. A person who violates any provision of this section is guilty of a class 2 misdemeanor.

§ 3-2083. Authority of inspector to search for and seize unstamped meat

Inspectors may stop and search without warrant any vehicle, and may search without warrant any container which the inspector suspects contains unstamped meat, and if any is found it shall be taken by the inspector. Unless proof is submitted within twenty-four hours after such seizure which satisfies the inspector that the person from whom the meat was taken is the lawful owner thereof, such meat shall be forfeited to the state and sold or disposed of by the agency.

§ 3-2084. Detention of product

Whenever any carcass, part of a carcass, meat or meat food product of cattle, sheep, swine, goats, horses, mules or other equines, or any product exempted from the definition of a meat food product, or any dead, dying, disabled or diseased cattle, sheep, swine, goat or equine is found by any authorized representatives of the department upon any premises where it is held for purposes of, or during or after distribution in, intrastate commerce, and there is reason to believe that any such article is adulterated or misbranded and is capable of use as human food, or that it has not been inspected, in violation of this or any other state or federal law or that it has been or is intended to be distributed in violation of any such provisions, it may be detained by such representative for a period of not to exceed twenty days, pending action under § 3-2085 or notification of any federal, state or other governmental authority having jurisdiction over such article or animal, and shall not be moved by any person from the place at which it is located when so detained until released by such representative. All official marks may be required by such representative to be removed from such article or animal before it is released unless it appears to the satisfaction of the division that the article or animal is eligible to retain such marks.

§ 3-2085. Condemnation of product

A. Any carcass, part of a carcass, meat or meat food product of cattle, sheep, swine, goats, horses, mules or other equines, or any dead, dying, disabled or diseased cattle, sheep, swine, goat or equine, that is being transported in intrastate commerce, or is held for sale in this state after such

transportation, and is or has been processed, sold, transported or otherwise distributed or offered or received for distribution in violation of this chapter, or is capable of use as human food and is adulterated or misbranded, or in any other way is in violation of this chapter, shall be liable to be proceeded against and seized and condemned at any time on a libel of information in the superior court in any county within the jurisdiction of which the article or animal is found.

B. If the article or animal is condemned it shall after entry of the decree be disposed of by destruction or sale as the court may direct and the proceeds if sold less the court costs and fees, and storage and other proper expenses, shall be deposited, pursuant to §§ 35-146 and 35-147, but the article or animal shall not be sold contrary to the provisions of this chapter, or the federal meat inspection act or the federal food, drug and cosmetic act, provided, that upon the execution and delivery of a good and sufficient bond conditioned that the article or animal shall not be sold or otherwise disposed of contrary to this chapter or the laws of the United States, the court may direct that such article or animal be delivered to the owner thereof subject to such supervision by authorized representatives of the department as is necessary to insure compliance with the applicable laws. When a decree of condemnation is entered against the article or animal and it is released under bond or destroyed, court costs and fees and storage and other proper expenses shall be awarded against the person intervening as claimant of the article or animal.

C. The provisions of this section shall in no way derogate from authority for condemnation or seizure conferred by other provisions of this chapter, or other laws.

§ 3-2086. Transfer of license without fee

If any person acquires a business licensed pursuant to this chapter to wholesale meat, with the goodwill of the business, and continues to operate the business in substantially the same manner, in the same location and under the same firm name, the division may transfer the license to the new owner, on written application, without payment of a license fee if the new owner submits:

1. Affidavit stating, under penalty of perjury, that the new owner will comply with the law and will not slaughter animals or sell, exchange or expose meat for sale except according to law and the rules of the director.
2. Evidence that the new owner is law-abiding, trustworthy and of good moral character.

§ 3-2087. Sales to state institutions

Meat of the carcasses or parts of carcasses of cattle, sheep, goats or swine for human consumption shall not be served in or sold to any state institution unless the carcasses or part of carcasses bear the inspection stamp "Arizona inspected and passed" or bear the inspection stamp of the United States department of agriculture. State institutions which raise their own livestock may slaughter and use meats derived therefrom subject to inspection as required in article 2 of this chapter¹ and this article.

§ 3-2088. Requirements for processed, blended or prepared meat and meat food products; violation; classification

A. The director shall adopt rules fixing and establishing the contents of processed meats and meat food products including the percentage of meats and nonmeat ingredients which may be contained in processed meats, but the percentage of meats prescribed by rule to be contained in processed meats

and meat food products shall not exceed the maximum percentages prescribed by the United States department of agriculture. A processed meat product fabricated from two or more ingredients shall bear a list of the ingredients giving the common or usual names of the ingredients arranged in the order of their predominance. A person who violates a rule adopted under this subsection is guilty of a class 3 misdemeanor.

B. The director may prescribe by rule conditions under which carcasses, parts of carcasses, meat and meat food products of any livestock that are capable for use as human food shall be stored or otherwise handled by a person, firm or corporation engaged in the business of buying, selling, freezing, storing or transporting such articles if the director deems the action to be necessary to assure that the articles will not be adulterated or misbranded when delivered to the consumer.

C. All processed, blended or otherwise prepared meat or meat food products which are packed in any can, pot, tin, box, canvas or other receptacle or covering constituting an immediate or true container, shall be labeled. Plain wrappings used solely to protect the product against spoiling during delivery and storage need not bear a label. Labels shall contain, prominently and informatively, the following:

1. The true name of the product.
2. The word "ingredients" followed by a list of the ingredients when the product is fabricated from two or more different types of meat or meat food products.
3. The name and place of business of the manufacturer or distributor.
4. An accurate statement of the quantity of contents.
5. The inspection number and stamp of the slaughtering establishment operating under state meat inspection service or the inspection number and stamp of the meat processor operating with an assigned establishment number.

D. There shall be no preservatives used in any meat or meat food products unless such preservatives have been approved by the United States department of agriculture. Specifically, all sulfates and sulfites are prohibited from use in any meat or meat food products.

E. Any artificial coloring which is used by a processor of any meat or meat food product shall have been approved by the United States department of agriculture.

F. Meats and meat food products shall not be adulterated or misbranded.

G. No meat or meat food product which has not been inspected shall be mixed in any way with any meat or meat food product which has been inspected when such meats or meat food products are offered for sale.

H. The provisions of this section shall apply to any person who slaughters, mixes, blends, cans, cures or otherwise prepares meat or meat food products. It shall include slaughterers, meat processors, wholesalers, retailers, jobbers, lockerplants, peddlers and sausage makers.

§ 3-2089. Vehicles

Every vehicle used by any slaughterer, meat or poultry processor, wholesaler, jobber or peddler in the transporting of dressed carcasses of animals intended for human consumption, parts thereof, meats or meat food products shall be maintained in a clean and sanitary condition, shall comply with the

minimum requirements of the director and shall be subject to inspection by the chief veterinary meat inspector or his employees.

§ 3-2090. Exemptions

A. Retailers selling meat or meat food products to the ultimate consumer shall be exempt from the provisions of § 3-2088. The department of health services shall regulate the sale of meat and meat food products on the retail level pursuant to § 36-136.

B. Slaughtering or processing establishments operating under the supervision of the United States department of agriculture shall be exempt from those portions of this chapter relating to plant and equipment inspections, ante-mortem and post-mortem inspections and disposal of carcasses, but slaughtering or processing establishments shall comply with the provisions of this chapter relating to licensing fees charged to such establishment as well as the requirements relating to brand inspection.

C. Nothing in this chapter shall be construed so as to prevent incorporated cities or towns from charging their customary license fees to slaughtering establishments, processors, wholesalers, jobbers or peddlers of meat and meat food products.

§ 3-2091. Nonlimitation of sale

A. Slaughtering establishments with state meat inspection service and with an assigned establishment number, and meat processors with an assigned establishment number, may sell their meat or meat food products any place within the state without regard to the laws and ordinances of any city or town relating to inspection of meat, meat processing or slaughtering establishments.

B. Slaughtering establishments whose meat and meat food products bear the inspection stamp of the United States department of agriculture may sell their meat or meat food products any place in the state without regard to the laws or ordinances of any city or town relating to the inspection of meat or slaughtering establishments.

§ 3-2092. Violation; classification

Any person who violates any provision of this chapter for which a specific criminal classification is not prescribed is guilty of a class 2 misdemeanor.

§ 3-2093. Reporting violations

Before any violation of this chapter is reported by the director for institution of a criminal proceeding, the person against whom such proceeding is contemplated shall be given reasonable notice of the alleged violation and opportunity to present his views orally or in writing with regard to such contemplated proceeding. Nothing in this chapter shall be construed as requiring the director to report for criminal prosecution minor violations of this chapter whenever he believes that the public interest will be adequately served and compliance obtained by a suitable written notice or warning.

§ 3-2094. Inspections

The division may conduct such inspections as it deems necessary to discover illegal meat or illegal meat food products and such inspections as it deems necessary in counties where the associate director determines that an adequate sanitary inspection is not conducted.

§ 3-2095. Investigation of violations

A. The division may conduct investigations as deemed necessary to determine whether any person has violated any provision of or rule issued under this chapter.

B. Any person may request a hearing pursuant to title 41, chapter 6, article 101 on a notice of violation of this chapter or any rule adopted under this chapter.

§ 3-2096. Disciplinary actions

A. The associate director may suspend or revoke any license, permit, establishment number or meat inspection service granted under this chapter for any of the following reasons:

1. Violation of this chapter.
2. Violation of any rule issued pursuant to this chapter, including any existing federal meat inspection regulation incorporated by reference and adopted by the director.
3. Violation of title 36, chapter 8, article 11 or any provision of title 44, chapter 10, article 7.2
4. Conviction of any offense under this chapter or title 36, chapter 8, article 1 or any offense involving fraud or misrepresentation.

B. Prior to taking any action under subsection A, the associate director shall provide a written notice stating the nature of the charge or charges against the holder of a license, permit, establishment number or meat inspection service granted under this chapter. The notice shall be served either personally or by mailing a copy thereof, certified mail, to the address last known to the department or to the chief veterinary meat inspector. The notice shall also inform the person of the right to a hearing on the action pursuant to title 41, chapter 6, article 10.3

C. When the administrative law judge determines that a person who has a license, permit, establishment number or meat inspection service is subject to suspension or revocation for any reasons provided, the administrative law judge may, instead of suspending or revoking the license, permit, establishment number or meat inspection service, impose a civil penalty of not more than one thousand dollars for each violation as specified in subsection A. The administrative law judge may also, in combination with or in lieu of the civil penalty, impose probation with the period and conditions deemed necessary to protect the public health and safety and to allow the person on whom the probation is imposed to rectify the conditions found by the department.

§ 3-2097. Prosecution of violations

The attorney general or the county attorney of the county in which the violation occurs may prosecute any violation reported pursuant to this chapter. The city attorney may prosecute misdemeanor violations of this chapter in the city where the violation occurred.

§ 3-2098. Suspension, revocation or wrongful closure; review or special action; compensation

A. A meat processor, meat wholesaler or jobber or a slaughterer whose license is suspended or revoked, or whose place of business or any portion thereof is closed by order of the director may seek a special action or a review by a court of the action pursuant to § 12-348.

B. If, as a result of the special action or review of the suspension, revocation or closure the finding is made that the suspension, revocation or closure by the director was in error, the meat processor, meat wholesaler or jobber or slaughterer affected shall receive an award from the state in an amount fixed by the court sufficient to provide compensation for losses suffered owing to the suspension, revocation or closure, in addition to any other awards that can be made pursuant to § 12-348.