

Law no. 1283, of December 18th, 1950

Concerns industrial and sanitary inspection of products of animal origin.

The President:

The National Congress determines and I sanction the following act:

Art. 1 – It is established herein the requirements for previous inspections, from an industrial and sanitary view, of all products of animal origin, whether edible or inedible, mixed with vegetable products or not, prepared, rendered, manipulated, packed, stored or in transit

Art. 2 – The products subject to inspection by this act are:

- a) animals destined for slaughter, products, byproducts and raw material thereof;
- b) fish, shellfish and their products;
- c) dairy;
- d) eggs and egg products;
- e) honey, bee wax and their products.

Art. 3 – The inspection concerned herein, shall be done:

- a) in the specialized industrial establishments and rural properties displaying adequate facilities for animal slaughter, preparation or processing, intended for consumption;
- b) in the commercial establishments of distribution of fish and shellfish and in the processing plants;
- c) milk processing plants, dairy plants, establishments responsible for receiving, refrigerating, skimming or processing dairy and the commercial establishments thereof;
- d) in the egg and egg products commercial establishments and egg processing plants;
- e) in the commercial establishments which, in any way, receive, handle, store, keep or pack products of animal origin;
- f) in rural properties;
- g) at wholesalers and retailers.

Art. 4 – According to the present act, inspection shall be performed by:

a) the Ministry of Agriculture, through its competent body, privately in the establishments designated pursuant to subparagraphs a), b), c), d) and e) of Art. 3 which carry out interstate or international commerce, wholly or in part, as well as in establishments designated pursuant to subparagraph f) of the abovementioned article, in all that interests the federal public health services of animal production and sanitary inspection.

b) the Secretariats or Agriculture Departments of the States, Territories and the Federal District, in the establishments designated pursuant to subparagraphs a), b), c), d) and e) of Art. 3 which market within a municipal jurisdiction or between municipalities and in the cases established in subparagraph f) of the abovementioned article in all which is not subject to the Ministry of Agriculture;

c) the public health bodies of the States, Territories and The Federal District in the establishments designated pursuant to subparagraph f) of Art. 3.

Art. 5 – If any of the States or Territories are not provided with the machinery or organization for an efficient inspection of the establishments according to the terms in subparagraph b) of the previous article, the respective services shall be performed by the Ministry of Agriculture, by means of an agreement with the State Governments. The inspection shall be carried out according to the provisions of subparagraph a) of the same article.

Art . 6 – It is forbidden throughout the national territory, to the ends comprised by this act, the duplicity of industrial and sanitary inspection in any industrial or commercial establishments of products of animal origin, which shall be carried out solely by one organ.

Sole paragraph: The inspection granted by the Ministry of Agriculture exempts the industrial or commercial establishments from state or municipal inspections.

Art. 7 – No industrial or commercial establishment of products of animal origin may perform its activities without a previous registration, complying with the regulations and any other complementary acts which may be issued by the Executive Power of the Union of the States, Territories and Federal District. The establishments must be registered with:

- a) the competent body of the Ministry of Agriculture if their production is destined for interstate or international commerce, wholly or in part.
- b) the competent bodies of the Secretariats or Departments of Agriculture of the States, Territories and Federal District, if the production is destined for municipal or intermunicipal commerce.

Sole paragraph: Wholesale establishments which sell to another state or country products originated in establishments that are subject to inspection from the Ministry of Agriculture, are not subject to registration. However, they must be listed with the competent body of the same Ministry, for the products destined to that particular establishment to be re-inspected, without prejudice to the sanitary inspection being referred to by subparagraph c) of article 4 of this act.

Art. 8 – It is a responsibility of the competent body of the Ministry of Agriculture the sanitary inspection of products, byproducts and raw material of animal origin at the sea and river ports and at border posts, whenever the products are destined for interstate or international commerce.

Art. 9 – The Executive Power of the Union shall issue, within one hundred and eighty (180) days as from the publishing of the present act, the regulations and complementary acts concerning industrial and sanitary inspection of the establishments designated pursuant to paragraph a) of Art 4 mentioned above.

§1 – The regulation concerned in this provision shall comprise:

- a) establishments classification;
- b) the conditions and requirements for registration and listing, as well as for transference of ownership;
- c) establishments hygiene;
- d) the duties of owners, or those in charge of the establishments;
- e) *ante* and *post mortem* inspection of animals destined for slaughter;
- f) inspection and re-inspection of all products, byproducts and raw material of animal origin during the different stages of processing and transport.
- g) determination of types and categories and approval of the formula of products of animal origin;
- h) labeling and brand registration;
- i) penalties to be enforced in case of non-compliance;
- j) inspection and re-inspection of products and byproducts at sea and river ports, and border posts;
- k) laboratory analysis;
- l) transport of products and by-products of animal origin;
- m) any other aspect that is found to be necessary to increase the efficiency of the sanitary inspection operations.

§2 – While the regulations described in this article are not issued, the current regulation is considered valid.

Art. 10 – It is the responsibility of the Executive Powers of the States, Territories and Federal District to issue the regulation or regulations and any other complementary acts concerning the sanitary inspection and re-inspection of the establishments mentioned in subparagraph b) of Art. 4 of the present act, which, however, must not collide with the regulation mentioned in the above article.

Sole paragraph: In the absence of the regulations foreseen by this article, the sanitary inspection of the establishments there mentioned shall be carried out, where applicable, under the regulation referred to in article 9o. of the present act.

Art. 11 – The products, designated pursuant to subparagraphs c) and d) of Art. 2o. of the present act, destined for interstate commerce and that can be inspected at the production centers or shipping locations shall be inspected at commercial establishments or other establishments located at the consumption centers, before public consumption, as set forth by the regulations foreseen by Art. 9o.

Art. 12 – The Executive Power of the Union is entitled to issuing the regulation and any other complementary act for the sanitary inspection of establishments, as foreseen by

subparagraph c) of Art 4o. of the present act. The states, territories and Federal District may legislate, supplementarily, on the same matter.

Art. 13 – The public health authorities while exercising its food inspection role shall communicate to the competent organs, indicated in subparagraphs a) and b) of Art. 4, or to the subordinate organs thereof, the results of the inspection analyses carried out, if they result in products or by-products being seized or condemned.

Art. 14 – The regulations, referred to in arts. 9o., 10o. and 12o. of this present act, may be altered wholly or in part whenever these changes bring about improvements and development to the animal products industry.

Art. 15 – The present law shall come into force on the date of its publication, being then revoked any contrary provision.

Rio de Janeiro, December 18th, 1950, 129th year of independence and 62nd year of the Republic

EURICO G. DUTRA

A. de Novaes Filho.

Pedro Calmon.