

§ 60.105 Consumer package.

Consumer package means any container or wrapping in which a covered commodity is enclosed for the delivery and/or display of such commodity to retail purchasers.

§ 60.106 Covered commodity.

- (a) *Covered commodity* means:
- (1) muscle cuts of beef (including veal), lamb, and pork;
 - (2) ground beef, ground lamb, and ground pork;
 - (3) farm-raised fish and shellfish (including fillets, steaks, nuggets, and any other flesh);
 - (4) wild fish and shellfish (including fillets, steaks, nuggets, and any other flesh);
 - (5) perishable agricultural commodities as defined by the Perishable Agricultural Commodities Act of 1930 (7 U.S.C. 499a(b)); and
 - (6) peanuts;
- (b) Covered commodities are excluded from this part if the commodity is an ingredient in a processed food item.

§ 60.107 USDA.

USDA means the United States Department of Agriculture.

§ 60.108 Farm-raised fish.

Farm-raised fish means fish or shellfish that have been harvested in controlled or selected environments, including ocean-ranched (e.g., penned) fish and shellfish confined in managed beds; and fillets, steaks, nuggets, and any other flesh from a farm-raised fish or shellfish.

§ 60.109 Food service establishment.

Food service establishment means a restaurant, cafeteria, lunch room, food stand, saloon, tavern, bar, lounge, or other similar facility operated as an enterprise engaged in the business of selling food to the public. Similar food service facilities include salad bars, delicatessens, and other food enterprises located within retail establishments that provide ready-to-eat foods that are consumed either on or outside of the retailer's premises.

§ 60.110 Ground beef.

Ground beef has the meaning given the term in 9 CFR 319.15(a), i.e., chopped fresh and/or frozen beef with or without seasoning and without the addition of beef fat as such, and containing no more than 30 percent fat, and containing no added water, phosphates, binders, or extenders.

§ 60.111 Ground lamb.

Ground lamb means comminuted lamb of skeletal origin that is produced in conformance with all applicable Food

Safety Inspection Service labeling guidelines.

§ 60.112 Ground pork.

Ground pork means comminuted pork of skeletal origin that is produced in conformance with all applicable Food Safety Inspection Service labeling guidelines.

§ 60.113 Hatched.

Hatched means emerged from the egg.

§ 60.114 Ingredient.

Ingredient means a component either in part or in full, of a finished retail food product.

§ 60.115 Lamb.

Lamb means meat, other than mutton (or yearling mutton), produced from sheep.

§ 60.116 Legibly.

Legibly means English language text that can be easily read by a consumer.

§ 60.117 Perishable agricultural commodity.

Perishable agricultural commodity means fresh and frozen fruits and vegetables of every kind and character that have not been manufactured into articles of food of a different kind or character and includes cherries in brine as defined by the Secretary in accordance with trade usages.

§ 60.118 Person.

Person means any individual, partnership, corporation, association, or other legal entity.

§ 60.119 Pork.

Pork means meat produced from hogs.

§ 60.120 Processed (for fish and shellfish).

Processed in the case of wild and farm-raised fish and shellfish means any process that effects substantial transformation as defined by the U.S. Bureau of Customs and Border Protection (CBP).

§ 60.121 Processed food item.

Processed food item means:

- (a) a retail item derived from a covered commodity that has undergone a physical or chemical change, and has a character that is different from that of the covered commodity; or

- (b) a retail item derived from a covered commodity that has been combined with: other covered commodities; or other substantive food components (e.g., chocolate, stuffing), resulting in a distinct retail item that is no longer marketed as a covered commodity, provided that the addition of components that enhance or represent further steps in the

preparation of the product for consumption, such as water, seasonings, sugars, or breeding would not in itself exclude a covered commodity from labeling under this subpart.

§ 60.122 Produced.

Produced means in the case of fresh and frozen fruits and vegetables, and peanuts means grown.

§ 60.123 Produced in any country other than the United States.

Produced in any country other than the United States means in the case of:

- (a) Beef, Pork, and Lamb: born, raised, and/or slaughtered outside the United States.
- (b) Farm-raised Fish and Shellfish: hatched, raised, harvested, and/or processed outside the United States, and the waters of the United States.
- (c) Wild Fish and Shellfish: harvested and/or processed outside the United States, and the waters of the United States, or by a vessel not registered in the United States.

- (d) Fresh and frozen fruits and vegetables: grown outside the United States.

- (e) Peanuts: grown outside the United States.

§ 60.124 Production step.

Production step means, in the case of:

- (a) Beef, pork and lamb: born, raised, and slaughtered.
- (b) Farm-raised fish and shellfish: hatched, raised, harvested, and processed.
- (c) Wild fish and shellfish: harvested and processed.

§ 60.125 Raised.

Raised means in the case of:

- (a) Beef, pork, and lamb: the period of time from birth until slaughter.
- (b) Farm-raised fish and shellfish: grown by means of aquaculture management techniques from the period of time from hatched to harvested.

§ 60.126 Retailer.

Retailer means any person licensed as a retailer under the Perishable Agricultural Commodities Act of 1930 (7 U.S.C. 499a(b)).

§ 60.127 Secretary.

Secretary means the Secretary of Agriculture of the United States or any person to whom the Secretary's authority has been delegated.

§ 60.128 Slaughter.

Slaughter means the point in which a livestock animal is prepared into meat products for human consumption.