

1 TO THE HOUSE OF REPRESENTATIVES:

2 ... recommends that the bill be amended by striking out all after the enacting
3 clause and inserting in lieu thereof the following:

4 Sec. 1. 6 V.S.A. § 3312 is amended to read:

5 § 3312. INSPECTION; EXCEPTIONS

6 (a) Not intended for human consumption. Inspection shall not be provided
7 under this chapter at any establishment for the slaughter of livestock or poultry
8 or the preparation of any livestock products or poultry products which are not
9 intended for use as human food, but these products shall, prior to their offer for
10 sale or transportation in intrastate commerce, unless naturally inedible by
11 humans, be denatured or otherwise identified as prescribed by rules of the
12 ~~secretary~~ Secretary to deter their use for human food. These licensed
13 establishments shall be subject to periodic review.

14 (b)(1) 1,000 bird exception. Inspection shall not be required for the
15 slaughter or preparation of poultry products of the producer's own raising on
16 the producer's own farm, whether or not they are intended for use as human
17 food if:

18 (1)(A) ~~Fewer~~ fewer than 1,000 birds are slaughtered annually; ~~and~~

19 (2)(B) ~~No~~ no birds are offered for sale or transportation in interstate
20 commerce; and

1 ~~(3)~~(C) ~~The~~ the poultry products are only sold, as whole birds only,
2 from the farm, at a farmers' market, or to a food restaurant licensed by the
3 ~~commissioner of health~~ Commissioner of Health, or are for personal use.

4 ~~(e)~~(2) 1,000 bird labeling. All poultry sold at a farmers' market or to a
5 restaurant pursuant to the exemption in this subsection ~~(b)~~ ~~of this section~~ shall
6 be labeled with the following information:

7 ~~(1)~~(A) Name of farm and name of producer;.

8 ~~(2)~~(B) Address of farm including zip code;.

9 ~~(3)~~(C) “Exempt per 6 V.S.A. § 3312(b): NOT INSPECTED.” This
10 statement shall be prominently displayed with such conspicuousness (as
11 compared with other words or statements, designs, or devices in the labeling)
12 as to render it likely to be read and understood under customary conditions of
13 purchase and use.

14 ~~(4)~~(D) Safe handling and cooking instructions as follows:

15 “SAFE HANDLING INSTRUCTIONS:

16 Keep refrigerated or frozen. Thaw in refrigerator or microwave.

17 Keep raw poultry separate from other foods.

18 Wash working surfaces, including cutting boards, utensils, and hands
19 after touching raw poultry.

20 Cook thoroughly to an internal temperature of at least 165 degrees
21 Fahrenheit maintained for at least 15 seconds.

1 Keep hot foods hot. Refrigerate leftovers immediately or discard.”

2 (c)(1) 20,000 bird exception. Inspection shall not be required for the
3 slaughter or preparation of poultry products of the producer’s own raising on
4 the producer’s own farm, whether or not they are intended for use as human
5 food provided that:

6 (A) fewer than 20,000 birds are slaughtered annually;

7 (B) the slaughtering or preparation is done on the producer’s
8 premises;

9 (C) the producer’s establishment is not used to slaughter or process
10 poultry by any other person or business;

11 (D) the producer does not purchase birds for resale that have been
12 processed under any exception under this section;

13 (E) no birds are offered for sale or transportation in interstate
14 commerce;

15 (F) the poultry are healthy when slaughtered; and

16 (G) the slaughter and processing are conducted using sanitary
17 standards, practices, and procedures to produce poultry products that are not
18 adulterated as established by the Agency under subsection (f) of this section.

19 (2) 20,000 bird labeling. All poultry sold pursuant to the exemption in
20 this subsection shall be labeled with the following information:

21 (A) Name of farm and name of producer.

1 (B) Address of farm including zip code.

2 (C) “Exempted—P.L. 90-492: NOT INSPECTED.” This statement
3 shall be prominently displayed with such conspicuousness (as compared with
4 other words or statements, designs, or devices in the labeling) as to render it
5 likely to be read and understood under customary conditions of purchase and
6 use.

7 (D) Safe handling and cooking instructions required by
8 9 C.F.R. 381.125 (special handling label requirements) and rules adopted by
9 the Agency.

10 (3) 20,000 bird standards. A producer operating under this subsection
11 shall conform to the following standards:

12 (A) A producer shall register with the Agency and declare that it is
13 exempt under this subsection at the beginning of each calendar year.

14 (B) A producer shall conform to the rules adopted by the Agency
15 under subsection (f) of this section regarding establishments, sanitary
16 standards, practices, and procedures, and labeling requirements.

17 (C) The Agency shall annually inspect the producer’s establishment
18 and determine that the producer is in compliance with the standards adopted by
19 the Agency.

1 (D) A producer shall maintain accurate records demonstrating the
2 number of birds raised, slaughtered, and processed and make them available to
3 the Agency.

4 (4) 20,000 bird sale. A producer may sell poultry products to any
5 person within the State including to a food establishment as that term is
6 defined in 18 V.S.A. § 4301.

7 (d) Menu labeling requirements. Any menu item that includes poultry that
8 is exempt under this section shall clearly state the name of the farm from
9 which the poultry was purchased and shall prominently display the words
10 “poultry processed on the farm and not inspected” on the menu in proximity to
11 the menu item. Poultry sold to food restaurants under the ~~exemption~~
12 exemptions in this section shall include a label alerting the purchaser to these
13 labeling requirements.

14 (e) Signed statement requirement. The poultry producer, upon first selling
15 poultry to a food restaurant, ~~must~~ shall procure a signed statement from the
16 food restaurant stating that the food restaurant is aware that the poultry is
17 exempted from inspection under subsection (b) or (c) of this section, and that
18 the menu of the food restaurant must have the information required by
19 subsection (d) of this section. The poultry producer ~~must~~ shall keep the signed
20 statement on file as long as the producer is selling poultry to the food
21 restaurant under this section. The poultry producer ~~must~~ shall have a signed

1 statement on file from each food restaurant to which poultry is sold under this
2 section and an exact copy of each statement, including the name of the
3 producer and the name of the purchasing restaurant shall be forwarded to the
4 ~~department of health~~ Department of Health.

5 (f) Agency rules.

6 (1) The Agency shall adopt, in accordance with 3 V.S.A. chapter 25,
7 poultry regulations regarding:

8 (A) the type of establishment required to operate under the 20,000
9 bird exception to meet the requirements of 9 C.F.R. § 416.2.

10 (B) the sanitary standards, practices, and procedures required to
11 produce poultry products that are not adulterated to meet the requirements of
12 9 C.F.R. §§ 416.1, 416.3, 416.4, 416.5.

13 (C) the safe handling instructions required by 9 C.F.R. § 381.125.

14 (2) Rules adopted under this subsection shall be consistent but not more
15 stringent than federal rules referenced in this subsection.

16 (g) Education and outreach. The Secretary shall conduct ongoing
17 education and outreach to assist exempt poultry producers with understanding
18 and complying with the requirements of this section. The education and
19 outreach activities shall include publication on or before January 1, 2016 of a
20 Guide to Poultry Slaughter and Preparation for Exempt Producers, which shall
21 provide easily understood instructions on the requirements of this section.