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H.603

Introduced by Representative Surprenant of Barnard

Referred to Committee on

Date:

Subject: Agriculture; preparation of poultry products; exception to inspection

Statement of purpose of bill as introduced: This bill proposes to repeal the requirement that poultry slaughtered under one of the three exceptions to inspection may only be sold as a whole bird from the farm, at a farmers' market, or to a food restaurant.

An act relating to the poultry slaughter exception to inspection

It is hereby enacted by the General Assembly of the State of Vermont:

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

§ 3312. INSPECTION; EXCEPTIONS

* * *

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

~~(1) fewer than 1,000 birds are slaughtered annually,~~

1 ~~(2) no poultry products are offered for sale or transportation in interstate~~
2 commerce; and

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

6 (c) 5,000 bird exemption.

7 (1) Inspection shall not be required for the slaughter or preparation of
8 poultry products of the producer's own raising on the producer's own
9 premises, whether or not they are intended for use as human food, if all of the
10 following conditions are satisfied:

11 (A) ~~No~~ Not more than 5,000 birds are slaughtered annually.

12 (B) No poultry products are offered for sale or transportation in
13 interstate commerce.

14 (C) The poultry products are only sold, as whole birds, from the
15 farm, at a farmers' market, directly to household consumers, or to a food
16 restaurant licensed by the Commissioner of Health, or are for personal use.

17 (D) The producer's facility is not used to slaughter or process poultry
18 by any other person or business.

19 (E) The producer does not purchase birds for resale that have been
20 processed under the exemption under this section.

21 ~~(F) The poultry are healthy when slaughtered.~~

1 ~~(C) The poultry are slaughtered and otherwise processed and handled~~
2 under sanitary standards, practices, and procedures that result in the
3 preparation of poultry products that are sound, clean, and fit for human food
4 when distributed by the producer.

5 * * *

6 (d) 20,000 bird exemption. Inspection shall not be required for the
7 slaughter or preparation of poultry products of the producer's own raising on
8 the producer's own premises, whether or not they are intended for use as
9 human food, if:

- 10 (1) ~~no~~ not more than 20,000 birds are slaughtered annually;
- 11 (2) no birds are offered for sale or transportation in interstate commerce;
- 12 (3) the poultry products are only sold ~~as whole birds~~, from the farm, at
13 a farmers' market, directly to household consumers, or to a food restaurant
14 licensed by the Commissioner of Health, or are for personal use;
- 15 (4) the producer's facility is not used to slaughter or process poultry by
16 any other person or business;
- 17 (5) the producer does not purchase birds for resale that have been
18 processed under the exemption under this section;
- 19 (6) the poultry are healthy when slaughtered; and
- 20 (7) the poultry are slaughtered and otherwise processed and handled
21 according to the sanitary performance standards of 9 C.F.R. §§ 416.1-416.17.

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~~Sec. 2. EFFECTIVE DATE~~

~~This act shall take effect on passage.~~

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

§ 3312. INSPECTION; EXCEPTIONS

~~***~~

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

(1) fewer than 1,000 birds are slaughtered annually;

(2) no raw poultry products are offered for sale or transportation in interstate commerce; and

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

(c) 5,000 bird exemption.

(1) Inspection shall not be required for the slaughter or preparation of raw poultry products of the producer's own raising on the producer's own premises, whether or not they are intended for use as human food, if all of the following conditions are satisfied:

(A) ~~No~~ Not more than 5,000 birds are slaughtered annually.

(B) No raw poultry products are offered for sale or transportation in interstate commerce.

(C) The raw poultry products are only sold, ~~as whole birds,~~ from the farm, at a farmers' market, directly to household consumers, or to a food restaurant licensed by the Commissioner of Health, or are for personal use.

(D) The producer's facility is not used to slaughter or process poultry by any other person or business.

(E) The producer does not purchase birds for resale that have been processed under the exemption under this section.

(F) The poultry are healthy when slaughtered.

(G) The poultry are slaughtered and otherwise processed and handled under sanitary standards, practices, and procedures that result in the preparation of raw poultry products that are sound, clean, and fit for human food when distributed by the producer.

(2) As used in this subsection, "sanitary standards, practices, and procedures" means:

* * *

(J) a person working in contact with the raw poultry products, food-contact surfaces, and product-packaging material shall maintain hygienic practices; and

(K) clothing worn by persons who handle raw poultry products shall be of material that is cleanable or disposable, and garments shall be cleaned or changed as often as necessary to prevent adulteration of raw poultry products or the creation of insanitary conditions.

(d) 20,000 bird exemption. Inspection shall not be required for the slaughter or preparation of raw poultry products of the producer's own raising on the producer's own premises, whether or not they are intended for use as human food, if:

(1) ~~no~~ not more than 20,000 birds are slaughtered annually;

(2) no birds are offered for sale or transportation in interstate commerce;

(3) the raw poultry products are only sold, ~~as whole birds,~~ from the farm, at a farmers' market, directly to household consumers, or to a food restaurant licensed by the Commissioner of Health; or are for personal use;

(4) the producer's facility is not used to slaughter or process poultry by any other person or business;

(5) the producer does not purchase birds for resale that have been processed under the exemption under this section;

(6) the poultry are healthy when slaughtered; and

(7) the poultry are slaughtered and otherwise processed and handled according to the sanitary performance standards of 9 C.F.R. §§ 416.1–416.17.

(e) Required label. All raw poultry products sold from the farm, at a farmers' market, or to a food restaurant pursuant to the exemption in subsection (b), (c), or (d) of this section shall be labeled with the following information:

(1) Name of farm and name of producer.

(2) Address of farm, including zip code.

(3) Name of the product.

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

(4)(5) Safe handling and cooking instructions as follows:

"SAFE HANDLING INSTRUCTIONS:

Keep refrigerated or frozen. Thaw in refrigerator or microwave.

Keep raw poultry separate from other foods.

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

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

Keep hot foods hot. Refrigerate leftovers immediately or discard."

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Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.