

Overview of Slaughter Options in Massachusetts

Meat and Poultry Processor Definitions

Community Involved in Sustaining Agriculture, June 2010

At CISA we field consistent requests from farmers seeking clear guidance on slaughter and meat processing requirements and regulations related to a range of marketing objectives – from farmers’ market sales and meat CSAs to how to get meat products into mainstream retail stores. In particular, new farmers establishing their business strategy and long-time farmers looking to diversify their operations are searching for guidance on processing and marketing their animals.

This document outlines the general categories of slaughter and meat processing facilities and activities allowed under federal law, and current interpretations of Massachusetts regulations that enable farmers – or contracted professionals - to kill and process livestock and poultry for their own use or to sell to market. While extensive resources related to meat processing and allowable marketing strategies are available through federal agencies, agricultural non-profits, and state departments, references specific to Massachusetts and adapted to agriculture as it is evolving in the Commonwealth are limited and out-of-date¹. We have drafted this document in the hopes of providing **initial guidance and references** for farmers in the early stages of their meat processing research. We also hope that this initiative helps to illustrate the need for a more specific, practical, and authoritative document from Massachusetts state agencies in the future. (Please note that our intent is not to provide a step-by-step guide to organizing business and marketing activities around meat products.)

Any individual engaging in - or contracting for - butchering or meat processing should confirm that these specific activities are permissible by law by reviewing more detailed written statutes and regulations, and communicating with local, state, and federal authorities. During this process farmers should also recognize that state officials, local board of health volunteers, and federal employees have varying degrees of experience with these issues, as well as the criss-crossing mandates and jurisdictions of the agencies involved. Setting a positive and transparent track record in your town will assist in developing standardized requirements and a clear pathway to bring meat products from pasture to table in the future.

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**Please be sure to read footnotes for more details and references.*

LIVESTOCK (for poultry information, see Poultry section below)

Personal Use Exemption²:

Slaughtering and preparation of livestock and poultry raised and for the exclusive use by the producer, members of their household, and nonpaying guests and employees, are exempt from state licensing and inspection^{3,4}.

Custom Exempt Slaughterhouse:

A custom slaughterhouse is defined in State and Federal law as an establishment that does not require continuous inspection of slaughter/processing activities (each individual carcass is not inspected) because they only slaughter livestock for the exclusive use of the owner of the animal. Businesses that operate under this exemption must have approved facilities^{5,6} and are given periodic sanitation and recordkeeping inspections by the Department of Public Health (DPH) Food Protection Program^{7,8}.

Use/Marketing of Product

The meat from a custom slaughtered animal cannot be sold, and can only be consumed by the animal's owner, by members of the owner's household, and his/her nonpaying guests and employees. The product must be identified as "NOT FOR SALE"⁹. This option is most commonly used for small-scale growers for their own consumption and "on-the-hoof" sales whereby animals are sold to an end-consumer prior to butchering.

Commercial Slaughterhouse – USDA inspected¹⁰:

A commercial slaughterhouse is an establishment that operates under continuous inspection by the USDA¹. The establishment's process is inspected every day during operations to ensure the production of safe food, humane handling and every animal is inspected to determine that the meat comes from an animal that is free from signs of disease. Commercial slaughterhouses may also conduct custom slaughter operations as long as the activities are segregated.

Use/Marketing of Product

The product produced is able to be sold at wholesale, retail, to restaurants, and other food service institutions and across state lines. Additional labeling¹¹, traceback, insurance, and recall plans requirements may apply.

POULTRY

Personal Use Exemption

Slaughtering and preparation of livestock and poultry raised and for the exclusive use by the producer, members of their household, and nonpaying guests and employees, are exempt from state licensing and inspection.^{12,13}

Custom Exempt Poultry Slaughterhouse:

A custom poultry slaughterhouse is defined in Massachusetts and Federal law¹⁴ as an establishment that does not require continuous inspection of slaughter/processing activities

because they only slaughter poultry for the exclusive use of the owner of the animal¹⁵. Businesses that operate under this exemption must have approved facilities and are given periodic sanitation and recordkeeping inspections by the DPH Food Protection Program.

Use/Marketing of Product

The poultry product from a custom slaughtered bird cannot be sold, and can only be consumed by the animal's owner, by members of the owner's household, and his/her nonpaying guests and employees. The product must be identified as "NOT FOR SALE".

Producer/Grower Poultry Processor Exemptions

Massachusetts's regulations exempt poultry producers who raise sound and healthy poultry on their own farms and sell dressed whole poultry directly to household consumers or restaurants, hotels and boarding houses, in agreement with the federal Poultry Products Inspection Act. To fall under this exemption, a producer must not engage in buying and selling poultry products other than those produced from their own farms and can only sell whole carcasses (not sold by the cut).¹⁶ Producers may not produce more than 5,000 turkeys or their equivalent (20,000) poultry of all species in a calendar year or the exemption will be lost. Exemption categories as detailed by FSIS are outlined below. Some modifications to these rules may be required by DPH.

Use/Marketing of Product

Dressed poultry or poultry products can be sold directly to household consumers or restaurants, hotels and boarding houses (for use in their own dining rooms or in the preparation of meals for sales direct to consumers only). Products must be shipped in containers bearing the producer's name and address and the statement "Exempted."

Exemptions: A slaughterer or processor may not simultaneously operate under more than one exemption¹⁷.

Producer/Grower - 1,000 Limit: 250 turkeys or 1,000 birds of all other species raised by any person on his or her own farm during the calendar year for which the exemption is sought, provided that such person does not buy or sell poultry products other than those produced from poultry raised on his or her own farm. Products may be processed on the farm in a state-licensed facility. Products can be sold direct to consumers at roadside stands, on-farm outlets and farmers markets.

Producer/Grower-20,000 Limit Exemption: The producer/grower slaughters and processes, on his or her own premises, no more than 20,000 poultry raised by him or her in a calendar year. He or she may not buy or sell poultry prepared under another exemption in the same calendar year. Slaughter and processing cannot be performed at a custom exempt facility. The producer/grower may rent slaughtering or processing equipment for use on his or her premises¹⁸ or use their own state-licensed poultry processing facility.

Marketing - The products are distributed solely by the producer/grower and only within the State (Massachusetts) in which the poultry is produced. The producer/grower may sell the products he or she raised and slaughter for sale "directly to household consumers, restaurants, hotels and boarding houses to be used in those homes and dining rooms for the preparation of meals served or sold directly to customers"¹⁹.

Additional Exemptions

See USDA FSIS regulations for additional information regarding the **Producer/Grower or Other Person (PGOP) Exemption-20,000 Limit, Small Enterprise Exemption**, and other categories.

Commercial Poultry Slaughterhouse – USDA inspected:

A commercial slaughterhouse is an establishment that operates under continuous inspection by the USDA. The establishment's process is inspected every day during operations to ensure the production of safe food, and every bird is inspected to determine that the poultry product comes from a bird that is free from signs of disease. The product produced is able to be sold at wholesale, retail, to restaurants, and other food service institutions. As of June 2010, there are no USDA-inspected poultry slaughterhouses in MA that provide slaughter services for farms²⁰.

State Licensed Facilities – Out of State

Massachusetts growers may be able to use other state's licensed poultry processing facilities²¹ that have similar requirements to Massachusetts. For more information contact MA Department of Public Health/Food Protection Program staff.

Contacts

For more information and clarifications on the implementation and interpretation of Massachusetts statues and regulation, contact:

- Department of Public Health/Food Protection Program – Kim Foley
- Department of Agricultural Resources – Sean Bowen, Gerard Kennedy or Rick Chandler

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¹ For example, 105 Code of Massachusetts Regulations/Department of Public Health Section 532 refers to a state slaughter inspection program that no longer exists.

² The official title for this classification of exemption needs further clarification – while there are references made to the conditions of this exemption no title for the category is given. We have used “Personal Use Exemption” as a placeholder.

³ No state inspection program of slaughter operations currently exists in Massachusetts.

⁴ 105 CMR – 16 www.mass.gov/Eeohhs2/docs/dph/regs/105cmr530.pdf

⁵ Approved facilities must have obtained an annual license from the Department of Public Health. www.mass.gov/Eeohhs2/docs/dph/environmental/foodsafety/m_p_app.pdf

⁶ All state licensed slaughter and meat processing facilities should follow guidelines for sanitation set out in 105 CMR 530 www.mass.gov/Eeohhs2/docs/dph/regs/105cmr530.pdf

⁷ Inspection procedures are described in 105 CMR 532 Inspection of Poultry. However, these standards are outdated and were established when Massachusetts had a state meat inspection program, and are proposed to be revised by MDPH in the next year to reflect current inspection options in the state.

⁸Facilities that custom slaughter for red meat (beef, pork, sheep, goat, emus, ostrich and rhea) must register with the USDA, but are exempt from routine USDA surveillance and inspection.

www.ct.gov/doag/lib/doag/marketing_files/farmers_guide_to_processing_and_selling_meat_and_poultry_in_ct.pdf

⁹ “Custom slaughterhouses operate under a provision of the federal code that allows the owner of an animal to process it without federal or state inspection as long as the meat is for the owner’s household and is not sold. Carcasses are not inspected, but custom facilities are inspected by FSIS (USDA Food Safety and Inspection Service), or a subcontractor. FSIS may subcontract inspection of custom slaughterhouses to state inspectors. Local health departments must approve slaughterhouse septic systems and well water. Custom slaughterhouses have similar but fewer requirements for facility equipment and floor plans. Carcasses and meat packages from custom slaughterhouses must be stamped ‘not for resale’.” www.nesawg.org/pubs/Interstate_Understanding_Regs.pdf

¹⁰ The State of Massachusetts has only two USDA-inspected red meat slaughterhouses (as of May 2009) that provide processing services to specification for farmers: Adams Farm Slaughterhouse/Athol and Blood Farm/Groton.

¹¹ For more information regarding FSIS and USDA labeling requirements for meat:

http://www.fsis.usda.gov/pdf/labeling_requirements_guide.pdf

¹² M.G.L. Chapter 94 Section 130. Exempt operations.

¹³ This exemption is meant for a farmer’s own use of poultry products. MDAR will perform a flock inspection and can provide resources about best practices for killing for own use, composting/waste, etc. However, poultry slaughter under this exemption is not the jurisdiction of DPH unless the farm kills at least one bird for public consumption. According to interviews with DPH staff, if you are slaughtering poultry for own consumption, you can kill the poultry on your farm.

¹⁴ “The term ‘exempt’ means that certain types of poultry slaughter and processing operations qualify to operate without the benefit of Federal inspection on a daily basis, and a grant of Federal inspection is not required.” p. 2 www.fsis.usda.gov/oppde/rdad/fsisnotices/poultry_slaughter_exemption_0406.pdf

¹⁵ “A person operating under a Custom Slaughter Exemption may slaughter and process poultry of his or her own raising provided such slaughtered poultry is for his or her exclusive consumption, or consumption by members of his or her household, nonpaying guests, and employees.” p. 8

www.fsis.usda.gov/oppde/rdad/fsisnotices/poultry_slaughter_exemption_0406.pdf

¹⁶ Despite MA regulations relating to a state inspection program, no such program currently exists. The only inspections currently provided by DPH are inspections of slaughter and processing facilities, ensuring proper set-up and sanitation according to Good Manufacturing Practices, but no inspection services are available for individual carcasses. www.mass.gov/Eeohhs2/docs/dph/regs/105cmr532.pdf

¹⁷ www.fsis.usda.gov/oppde/rdad/fsisnotices/poultry_slaughter_exemption_0406.pdf p. 18

¹⁸ Information related to the use of a licensed mobile poultry processing unit in MA with a producer/processor exemption can be obtained from Jennifer Hashley at New Entry Sustainable Farming Project or Judy Gillan at New England Small Farm Institute.

¹⁹ www.fsis.usda.gov/oppde/rdad/fsisnotices/poultry_slaughter_exemption_0406.pdf, p. 11

²⁰ There are USDA inspected facilities that slaughter and process poultry for vertically-integrated companies, but do not do contract work with individual farms.

²¹ The Vermont Meat Inspection Program is considered to be the equivalent of USDA FSIS inspection.