

2/05/21

Minnesota Institute for Sustainable Agriculture will work with MDA on adding this information to the Selling Minnesota series of fact sheets.

Discussion Document

Product of the farm: meat, poultry, lard, and Cottage Food

Scenarios:

1. Farmer has a pig processed under USDA or Equal-To inspection. The unrendered lard is received back from the inspected butcher in packages that are stamped with the mark of inspection. Farmer sells the unrendered lard to a licensed baker, who renders it, uses some of it as an ingredient in bread, and sells the rest in small packages to retail customers.
 - This was determined legal at Feb. 2019 LFAC meeting. Farmer is wholesaling an approved source product. This is an acceptable sale.
 - The baker: would label according to retail food requirements. The baker's license covers that sale.
2. Farmer has a pig processed under USDA or Equal-To inspection. Farmer receives back the unrendered lard in packages that are stamped with the mark of inspection. Farmer goes into a commercial kitchen facility, renders the lard, packages it in small packages and sells it to **end consumers**.

This would be the non-licensed, product of the farm track parallel to scenario 1.

Does rendering make this into not product of the farm? There are no off-farm ingredients added, so it is still product of the farm.

It would need to be done in a commercial kitchen facility, not a home kitchen.

Yes, this would be legal if done in a commercial kitchen facility.

No, this would NOT be legal if done in a home kitchen.

Exclusion from licensing for product of the farm: the only thing that is excluded is the license. The product still has to meet the other standards that would be required for a licensed product.

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Retail Food Code only applies to licensed entities. The farmer would not have to use a facility that meets the Retail Food Code – they could use a facility that meets food manufacturing/processing standards.

3. Farmer has an on-farm meat processing facility to do their own processing of their own animals. Farmer gets a beef animal slaughtered at a USDA or Equal-to facility and receives their own inspected carcass back. Farmer uses their on-farm processing facility to break down the carcass and grind the trim into burger. Farmer packages the cuts & ground beef and sells the packages to end consumers.
 - Slaughtered under inspection, so that's an approved source.
 - Not adding ingredients; they are grinding or doing cuts of meat.
 - Not custom-exempt
 - Not retail food establishment
 - On-farm meat processing facility has to meet CGMPs
 - If the farmer wants to add ingredients, then they would need the retail food handler's license and would have to meet facilities requirements associated with that.

4. Farmer has an on-farm PL-Exempt poultry processing facility to do their own processing of their own chickens. Farmer also gets turkeys slaughtered at a USDA or Equal-to facility and receives their own inspected turkey carcasses back. Farmer uses their on-farm processing facility to debone the turkeys and grind turkey meat. Farmer packages ground turkey meat and sells to end consumers.
 - The PL-Exempt facility is not inspected; must meet same standards as a custom-exempt plant would meet. No facility issue with processing both PL-exempt and inspected in the same facility, but the processing should be separated in time or space.
 - The turkey cannot be labeled PL-Exempt
 - The chicken and the turkey could be stored together; the labeling would have to clearly distinguish between the PL-exempt and the retail packaging for the turkey meat.
 - PL-exempt poultry can be sold at farmers' market. Chicken or turkey can be cut up or ground under PL-exempt, so the USDA or Equal-To processing of the carcass would not be necessary in order for the farmer to cut up, grind, and package poultry for sale to end

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consumers. However, the farmer would have the option to take back inspected carcasses and cut up, grind, and package.

- If the farmer wants to add spices or other ingredients to the poultry, they would need a retail food handler license and facility that meets requirements associated with that license.

Could #2, 3, and 4 scenario products be brought to the farmers' market? There's nothing in the law that prevents it. There is always the requirement to maintain safety of the product: not adulterated, not misbranded, temperature control.

Sales only to end consumer.

Traceability: Farmer would have to be able to prove they used inspected carcasses in scenarios 2 and 3; and either inspected carcasses or their own PL-exempt carcasses in scenario 4.

Labeling: No mark of inspection would be a red flag for inspectors. Might need some kind of labeling standard if this practice becomes widespread.

This should get rolled into the livestock/meat processing discussion. MDA does not have capacity to go out and look at on-farm processing facilities.

5. Farmer who is also a Cottage Food Producer raises their own goats, pigs, and chickens to produce milk, lard, and eggs that they use as baking ingredients. They make bread and cookies using these ingredients from their farm and sell the bread and cookies at farmers' markets as a registered Cottage Food Producer.

Was the lard source an approved source, from an animal processed under inspection at a USDA or Equal-To facility? Any product from an animal processed under custom-exempt is for personal use only, and cannot be used in Cottage Food. Any product from on-farm slaughter & processing of animals for your own use cannot be used in Cottage Food.

Raw milk is okay to use in Cottage Food baking because it goes through a kill step, and milk doesn't come under the USDA meat regulations.

Your inspected, unrendered lard can be rendered in your home kitchen for your Cottage Food baking.

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- As far as MDA-DMID is concerned, the unrendered lard just needs to be sourced from an animal slaughtered and processed under inspection.
- Food safety-wise, there's a kill step and the unrendered lard is an approved-source ingredient that goes through a kill step.
- Outstanding question: Could Cottage Food baking be done with rendered chicken fat from chickens processed under PL-exemption on the farm?

Follow-up from Nicole Droher, 2/10/21:

- **Lard sourced from poultry slaughter and processed under PL exemption can be rendered and used as an ingredient for cottage foods.**