

OFFICE OF POLICY AND LEGAL ANALYSIS

To: Members, Joint Standing Committee on Agriculture, Conservation and Forestry
From: Karen S. Nadeau, Legislative Analyst
Date: February 23, 2021
Subj: **LD 66 An Act To Improve Livestock and Poultry Preparation**

SUMMARY

Custom operators: licensing vs. registration

- Sec. 1 – adds reference to “registration” under the Maine Food Sovereignty Act.
- Sec. 4 – amends definition of “custom processor” to mean a person who maintains a registered rather than licensed establishment.
- Sec 5 – amends the definition of “custom slaughterhouse” to remove reference to “licensed” establishment.
- Sec 17 and 18 – removes “custom slaughterers” and “custom processors” from the categories of licensure.
- Sec. 19 – requires a custom slaughterer, custom processor, poultry producer (fewer than 1,000) or rabbit processor (fewer than 1,000) or a person in any other category that the commissioner may by rule establish who is not licensed to register with the department. Current law is permissive (may); LD proposes requirement (must).
- Sec. 24 – removes “custom slaughterhouse” from contract slaughtering provision under rental of licensed slaughterhouse law.
- Sec. 26 – adds reference to “registered” establishment under inspection for use of human slaughtering methods section of law.
- Sec. 27 – adds reference to “registered” establishment under prohibited acts section of law.
- Sec. 29 – adds reference to “registered” establishment under action upon violation section of law.

- Sec. 23. – Current law provides that inspection is not required for the slaughter of poultry or the preparation of poultry products as long as the poultry are slaughtered by the producer that raised the poultry and the poultry products are prepared on the farm where the poultry were raised and fewer than 1,000 birds are slaughtered annually on the farm and other requirements (T. 22 §2517-C, sub§1)
 - Removes the requirement that poultry are sold at the farm on which the poultry were raised or delivered to a consumer’s home by the poultry producer.

Sale of horsemeat prohibited

- Sec 2 – prohibits a person from selling, transporting, offering for sale or transportation or receiving for transportation any carcasses of horses, mules or other equines or parts of these carcasses or the meat or meat food products of these carcasses.
- Sec. 13 – under the powers of the commissioner, removes reference to requiring that the slaughter and preparation of equines be conducted in establishments separate from establishments where other livestock are slaughtered or their products prepared.
- Sec. 28 – amends prohibited acts section of law to remove an exemption.

Amenable species

- Sec 3 – adds definition of “amenable species” to T. 22, Chapter 562-A “Preparation of Livestock and Poultry Products for Human Consumption.”

- Sec. 16 – under the powers of the commissioner, adds amenable species under the laws governing voluntary inspections.

Poultry Products and Inspection Act (federal)

Sec. 6, 7, 12 and 15 – corrects reference to the federal “Poultry Products Inspection Act.”

Poultry

- Sec. 8 – amends the definition of “handler of dead, dying, disabled or diseased animals” to include poultry.
- Sec. 20 – adds poultry to ante mortem examination of animals to be slaughtered.
- Sec. 21 – adds poultry to the post mortem examination of carcasses.
- Sec. 25 – adds poultry to stop sale or use order section of law.

Sec. 9 – amends the definition of “livestock” to exclude domesticated deer, domestic rabbits, horses, mules and other equines.

Sec. 10 – amends the definition of “meat.”

Sec. 11 – amends the definition of “meat food product or meat product.”

Sec. 14 – removes the requirement that funds reimbursed under the laws governing preparation of livestock and poultry products for human consumption be deposited in the General Fund as undedicated revenue.

TESTIMONY

Proponents: *Department of Agriculture, Conservation and Forestry (DACF)*

- LD makes a number of updates to Title 22, Chapter 562-A “Preparation of Livestock and Poultry Products for Human Consumption.” These updates are necessary in order for Maine to remain in compliance with USDA’s Food Safety Inspection Service (FSIS) requirements for State and Cooperative Interstate Shipment inspection programs.
- Current law allows custom operators (who are only allowed to produce products labeled “not for sale”) to sell their products in commerce. Federal law prohibits this activity; LD aligns with federal law. LD will not impact a slaughterhouse/red meat processor or poultry processor’s ability to offer the service of slaughter and/or cut-wrap, smoking, processing to individuals who do not intend to sell the product.
- LD clarifies that custom operators must be registered under State law and sanitation standards will apply to their operation. Because custom operators can only prepare products for personal consumption, it is necessary to eliminate the referencing to “licensing,” but prudent to now require custom establishments to register with DACF.
- The Cooperative Agreement between DACF and USDA-FSIS states that all custom exempt establishments will be reviewed by the State.

Opponents: *None*

NFNA: *None*

NOTES

- Section 10 of LD amends the definition of “meat” – may need to clarify.

PRELIMINARY FISCAL IMPACT STATEMENT: *Not yet received.*