

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

Sec. 1. 22 MRSA §2511, sub-§1-A is enacted to read:

1-A. Amenable species. "Amenable species" means cattle, sheep, swine, goats, horses, mules and other equines, including their carcasses and parts.

Sec. 2. 22 MRSA §2511, sub-§11, as enacted by PL 1999, c. 771, §1, is amended to read:

11. Custom slaughterhouse. "Custom slaughterhouse" means a person who maintains a slaughtering facility that is a licensed establishment or a registered establishment under this chapter for the purposes of slaughtering livestock or poultry for another person's exclusive use by that person and members of that person's household and that person's nonpaying guests and employees, and who is not engaged in the business of buying or selling carcasses, parts of carcasses, meat or meat food products or any cattle, domesticated deer, sheep, swine, goats, domestic rabbits, equines, poultry or other designated animals useable as human food.

Sec. 3. 22 MRSA §2511, sub-§41-A is enacted to read:

41-A. Registered establishment. "Registered establishment" means a person registered under section 2514-A.

Sec. 4. 22 MRSA §2512, sub-§2, ¶O, as enacted by PL 1999, c. 777, §1, is amended to read:

O. Establish conditions for storage and handling of livestock products and poultry products by persons engaged in the business of buying, selling, freezing, storing or transporting these products in or for intrastate commerce to ensure that these products are not adulterated or misbranded when delivered to the consumer; ~~and~~

Sec. 5. 22 MRSA §2512, sub-§2, ¶P, as amended by PL 2003, c. 20, Pt. E, §1, is further amended to read:

P. Establish the method for providing voluntary inspection and withdrawal of inspection of exotic animals, wild game, domesticated deer and domestic rabbits. These rules may also provide for the inspection of meat and meat food products derived from those animals. The commissioner shall provide voluntary inspection of bison, domesticated deer and ratite produced in the State, including the inspection of meat and meat food products derived from bison, domesticated deer and ratite, for which the commissioner shall charge a fee of \$35 per hour. The commissioner shall charge \$35 per hour per inspection of meat and meat food products processed in the State but derived from bison, domesticated deer and ratite produced outside the State.; ~~and~~

Sec. 6. 22 MRSA §2512, sub-§2, ¶Q is enacted to read:

Q. Allow the slaughter and processing of an animal that is a member of an amenable species owned by a person at the home of another person if that animal is not being offered for sale by the owner or by any other person.

Sec. 7. 22 MRSA §2514, sub-§1, as enacted by PL 1999, c. 777, §1, is amended to read:

1. License or registration required. A person may not engage in intrastate commerce in the business of buying, selling, preparing, processing, packing, storing, transporting or otherwise handling meat, meat food products or poultry products, unless that person holds a valid license issued under this chapter or is registered under section 2514-A. Categories of licensure include:

A. Commercial slaughterers;

B. Custom slaughterers, except that itinerant custom slaughterers who slaughter solely at a customer's home or farm and who do not own, operate or work at a slaughtering plant are exempt from the licensing provisions of this section;

C. Commercial processors;

D. Custom processors;

E. Wholesale distributors, except that livestock producers and livestock dealers who sell carcasses to or through inspected slaughterhouses are exempt from having to obtain a wholesale distributor's license under this paragraph. All other licensing provisions are applicable;

F. Retail vendors;

G. Meat and poultry product brokers;

G-1. Mobile poultry processing unit operators;

H. Renderers;

I. Public warehouse operators;

J. Animal food manufacturers;

K. Handlers of dead, dying, disabled or diseased animals; and

L. Any other category that the commissioner may by rule establish.

Sec. 8. 22 MRSA §2514-A is enacted to read:

§ 2514-A. Registration

1. Registration permitted. A person may engage in intrastate commerce in the business of buying, selling, preparing, processing, packing, storing, transporting or otherwise handling meat, meat food products or poultry products if that person is registered under this section. A person may register under this section if the person is a:

A. Custom slaughterer, except that itinerant custom slaughterers who slaughter solely at a customer's home or farm and who do not own, operate or work at a slaughtering plant are exempt from the registration provisions of this section;

B. Custom processor;

C. Poultry producer who processes fewer than 1,000 birds annually under section 2517-C; and

D. A person in any other category that the commissioner may by rule establish.

Sec. 9. 22 MRSA §2518, as amended by PL 2009, c. 354, §4, is further amended to read:

§ 2518. Periodic review of noninspected registered or licensed establishments

1. Review by inspector. The commissioner may ~~cause~~require establishments that are required to be licensed under section 2514 or registered under section 2514-A but are exempt from inspection under section 2512, subsection 2, paragraph K to be periodically reviewed by inspectors to ensure that the provisions of this chapter and the rules adopted under this chapter are satisfied and that the public health, safety and welfare are protected. The commissioner shall ~~cause~~require establishments that are required to be licensed under section 2514 or registered under section 2514-A but are exempt from inspection under section 2517-C to be reviewed annually by inspectors to ensure that the provisions of this chapter and the rules adopted under this chapter are satisfied and that the public health, safety and welfare are protected.

2. Review of certain slaughter or preparation establishments. Inspection may not be provided under this chapter at any establishment for the slaughter of livestock or poultry or the preparation of any livestock products or poultry products that are not intended for use as human food, but these products must, prior to their offer for sale or transportation in intrastate commerce, unless naturally inedible by humans, be denatured or otherwise identified, as prescribed by rules of the commissioner, to deter their use for human food. These licensed establishments are subject to periodic review.

3. Subject to review. A periodic review under this section must include an examination of:

A. The licensed establishment's sanitation practices;

B. Sanitation in the areas where meat and poultry products are prepared, stored and displayed;

C. The adequacy of a refrigeration system used for meat food products and poultry products;

D. Labeling; and

E. Meat food products or poultry products for wholesomeness or adulteration.

In addition, the inspector conducting the periodic review may conduct any other examination necessary to ensure compliance with this chapter and the rules adopted pursuant to this chapter.

4. Access. For purposes of a periodic review of a licensed establishment, inspectors have access during normal business hours to every part of a licensed establishment required to have inspection under this chapter, whether the licensed establishment is operated or not.

Sec. 10. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 22, chapter 562-A, subchapter 2, in the subchapter headnote, the word "licensing" is amended to read "licensing and registration" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.'

SUMMARY

This amendment, which is the minority report of the committee, strikes and replaces the bill. The amendment authorizes the Commissioner of Agriculture, Conservation and Forestry to allow an animal that is a member of an amenable species, a term defined in the amendment, that is owned by a person to be slaughtered and processed at the home of another person if that animal is not being offered for sale by the owner or by any other person. It differs from the majority report in that it does not require the person slaughtering and processing the animal to be registered as a custom slaughterer. The amendment also adds registered establishments to slaughter establishments that may be periodically reviewed by inspectors to ensure that the laws and rules governing slaughter facilities are being followed.