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TESTIMONY BEFORE THE JOINT COMMITTEE ON AGRICULTURE,
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In Opposition to LD 493

An Act To Allow Custom Slaughterhouses To Produce Cuts of Meat To Be Sold Commercially in the State

March 9, 2021

Senator Dill, Representative O'Neil, and members of the Committee, I am Nancy McBrady, and I am Director of the Bureau of Agriculture, Food and Rural Resources in the Department of Agriculture, Conservation and Forestry. I am here today to speak in opposition to LD 493, "*An Act To Allow Custom Slaughterhouses To Produce Cuts of Meat To Be Sold Commercially in the State.*"

The Department understands that despite the incredibly hard work by Maine's meat and poultry producers, slaughterhouses, and processors, significant supply chain constraints curtail processing times. More must be done to alleviate the bottlenecks that undermine Maine's meat and poultry processing businesses and livestock producers in order to build a more resilient local system. We are all desirous of more flexibility for processors. However, LD 493 proposes that Maine violate the Federal Meat Inspection Act, which will result in the loss of the Maine Meat and Poultry Inspection program. The changes sought by this bill are best aimed at the federal level, rather than through state action that would make us non-compliant with federal law.

LD 493 directly contravenes current federal law by allowing custom, non-inspected meat, to be sold commercially. Currently, custom slaughterhouses operate under the custom exemption of the Federal Meat Inspection Act. Custom operators are inspected once per year, whereas inspected operators are inspected daily. In exchange for less oversight, the meat produced by custom operators must be marked as "Not-For-Sale" and can only be used for the personal use of the animal's owner, family, and non-paying guests.

DACF oversees the Maine Meat and Poultry Inspection (MMPI) program. The MMPI program is responsible for providing daily inspection to seven state-inspected facilities and performs annual food safety inspections at 44 custom slaughterhouses and processors and 60 poultry operators (under 1k exempt category). The seven facilities inspected daily by the MMPI program represent half of the total inspected red meat slaughter capacity in the state, half of the inspected poultry

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capacity in the state, and MMPI inspects the only certified organic poultry facility in the Northeast. In Federal FY20, the state inspected facilities produced 1.5 million pounds of red meat and processed 33,000 poultry birds, an increase of 43% and 74% from FY19, respectively.

The MMPI program operates under two critical Cooperative Agreements with the USDA-Food Safety Inspection Service (FSIS). One allows Maine to operate a state meat inspection program. The second enables Maine to operate the Cooperative Interstate Shipment (CIS) Program, whereby state-inspected facilities that join the CIS program can sell state-inspected meat across state lines.

To maintain these Cooperative Agreements, the MMPI program must maintain compliance with federal law. Federal law expressly forbids the sale of custom exempt meat and poultry products. **If LD 493 were to pass, MMPI would no longer be compliant with federal law.**

We've submitted to the Committee Clerk a letter from USDA-FSIS indicating that the agency will begin withdrawing the Cooperative Agreements allowing MMPI if this law goes forward. As a result, state-inspected processors would face the choice of either becoming USDA inspected (subject to daily inspection) or revert to custom operations. Further, custom operators, because they would not have to be continuously inspected, would be selling uninspected meat commercially within the state, raising serious health and food safety concerns.

DACF recognizes that this bill's intent is to allow more sales of local meat and ensure a consistent, local supply. We share these goals. In 2020, DACF reallocated a temporarily vacant position to the MMPI program so MMPI could provide additional state inspection to alleviate the backlog. DACF also worked with the University of Maine and utilized trained inspectors from DACF's Weights and Measures program to provide temporary inspection at three of Maine's stellar custom facilities last summer to meet the increased demand for meat and poultry products during the pandemic. DACF has requested two additional MMPI positions in the Governor's biennial budget to expand the program to provide inspection to more custom facilities that wish to become inspected facilities. Last, we support ongoing efforts by the administration and the legislature to direct badly needed infrastructure investment into Maine's agriculture business.

Fortunately, there may be Federal help on the way. The Strengthening Local Processing Act, introduced in Congress, will significantly increase the federal share of costs for state inspection and CIS facilities. It would also authorize competitive grants to small and very small establishments, state inspected facilities, custom exempt facilities, or new small-scale slaughter facilities for COVID-19 response and recovery activities.

In sum, LD 493 will dismantle our current MMPI program. This is counterproductive, especially when increased staffing, federal support, and state investment into this arena is on the horizon. DACF strongly urges that this bill ought not to pass.

Thank you for your time. I would be happy to answer your questions.