

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 218

H.P. 179

House of Representatives, February 5, 2013

An Act To Promote Small-scale Poultry Farming

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative KUMIEGA of Deer Isle.
Cosponsored by Representatives: CHAPMAN of Brooksville, DAUGHTRY of Brunswick,
HICKMAN of Winthrop, JONES of Freedom, LIBBY of Waterboro, LOCKMAN of Amherst,
Senator: JOHNSON of Lincoln.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §2517-C, sub-§1**, as enacted by PL 2009, c. 354, §3, is
3 amended to read:

4 **1. Exemption for processing fewer than 1,000 birds annually.** Notwithstanding
5 section 2512 and whether or not the poultry are intended for human consumption,
6 inspection is not required for the slaughter of poultry or the preparation of poultry
7 products as long as the poultry are slaughtered or the poultry products are prepared on the
8 farm where the poultry were raised and:

9 A. Fewer than 1,000 birds are slaughtered annually on the farm;

10 B. No birds are offered for sale or transportation in interstate commerce;

11 C. Any poultry products sold are sold only as whole birds;

12 ~~D. The poultry producer has a valid license issued under section 2514;~~

13 ~~E. The facilities for slaughtering and processing are in compliance with rules~~
14 ~~adopted under subsection 4;~~

15 F. The poultry producer assigns a lot number to all birds sold and maintains a record
16 of assigned lot numbers and the point of sale; ~~and~~

17 ~~G. The poultry are sold in accordance with the restrictions in subsection 2.~~

18 H. The poultry are sold at the farm on which the poultry were raised or delivered to a
19 consumer's home by the poultry producer; and

20 I. The poultry products are labeled with:

21 (1) The name of the farm, the name of the poultry producer and the address of
22 the farm including zip code;

23 (2) The statement, "Exempt under the Maine Revised Statutes, Title 22, section
24 2517-C NOT INSPECTED"; and

25 (3) Safe handling and cooking instructions as follows: SAFE HANDLING
26 INSTRUCTIONS: Keep refrigerated or frozen. Thaw in refrigerator or
27 microwave. Keep raw poultry separate from other foods. Wash working
28 surfaces, including cutting boards, utensils and hands, after touching raw poultry.
29 Cook thoroughly to an internal temperature of at least 165° Fahrenheit
30 maintained for at least 15 minutes. Keep hot foods hot. Refrigerate leftovers
31 immediately or discard.

32 A poultry producer that is exempt under this subsection is also exempt from rules adopted
33 under subsection 4.

34 **Sec. 2. 22 MRSA §2517-C, sub-§1-A** is enacted to read:

35 **1-A. Exemption for processing 1,000 to fewer than 2,000 birds annually.**
36 Notwithstanding section 2512 and whether or not the poultry are intended for human
37 consumption, inspection is not required for the slaughter of poultry or the preparation of

1 poultry products as long as the poultry are slaughtered or the poultry products are
2 prepared on the farm where the poultry were raised and:

3 A. More than 999 and fewer than 2,000 birds are slaughtered annually on the farm;

4 B. No birds are offered for sale or transportation in interstate commerce;

5 C. Any poultry products sold are sold only as whole birds;

6 D. The poultry producer has a valid license issued under section 2514;

7 E. The facilities for slaughtering and processing are in compliance with rules
8 adopted under subsection 4;

9 F. The poultry producer assigns a lot number to all birds sold and maintains a record
10 of assigned lot numbers and the point of sale; and

11 G. The poultry are sold in accordance with the restrictions in subsection 2.

12 **Sec. 3. 22 MRSA §2517-C, sub-§4**, as enacted by PL 2009, c. 354, §3, is
13 amended to read:

14 **4. Rules.** The commissioner shall adopt rules to establish requirements for the
15 physical facilities and sanitary processes used by poultry producers whose products are
16 exempt from inspection under ~~this section~~ subsection 1-A. Rules adopted under this
17 subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

18 SUMMARY

19 This bill proposes to create 2 categories of poultry producers that are exempt from
20 inspection under the Maine Revised Statutes, Title 22, section 2512. The first category is
21 for poultry producers that slaughter and process under 1,000 birds annually on the farm
22 where the poultry are raised and that meet other sales and licensing requirements. The
23 bill proposes to exempt these producers from the rules established by the Department of
24 Agriculture, Conservation and Forestry governing facilities and sanitary processes used
25 by small poultry producers and establishes certain labeling requirements. The 2nd
26 category is for poultry producers that slaughter and process more than 999 and fewer than
27 2,000 birds annually on the farm where the poultry are raised and that meet similar sales
28 and licensing requirements. Under this bill, these producers would not be exempt from
29 the rules governing facilities and sanitary processes used by small poultry producers.