

# MAINE STATE LEGISLATURE

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Date: 6/7/13

L.D. 259

(Filing No. H-407)

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**AGRICULTURE, CONSERVATION AND FORESTRY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
126TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 196, L.D. 259, Bill, "An Act To Allow a Person Who Owns a Slaughterhouse To Slaughter Poultry for Other People"

Amend the bill by striking out the title and substituting the following:

**'An Act To Allow a Person To Rent a Slaughterhouse for the Slaughtering and Processing of Poultry'**

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

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

**Sec. 1. 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. 2. 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. 3. 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

**COMMITTEE AMENDMENT**

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that person holds a valid license issued under this chapter or is registered under section 2514-A. Categories of licensure include:

- 4 A. Commercial slaughterers;
- 5 B. Custom slaughterers, except that itinerant custom slaughterers who slaughter  
6 solely at a customer's home or farm and who do not own, operate or work at a  
7 slaughtering plant are exempt from the licensing provisions of this section;
- 8 C. Commercial processors;
- 9 D. Custom processors;
- 10 E. Wholesale distributors, except that livestock producers and livestock dealers who  
11 sell carcasses to or through inspected slaughterhouses are exempt from having to  
12 obtain a wholesale distributor's license under this paragraph. All other licensing  
13 provisions are applicable;
- 14 F. Retail vendors;
- 15 G. Meat and poultry product brokers;
- 16 G-1. Mobile poultry processing unit operators;
- 17 H. Renderers;
- 18 I. Public warehouse operators;
- 19 J. Animal food manufacturers;
- 20 K. Handlers of dead, dying, disabled or diseased animals; and
- 21 L. Any other category that the commissioner may by rule establish.

22 **Sec. 4. 22 MRSA §2514-A** is enacted to read:

23 **§2514-A. Registration**

24 **1. Registration permitted.** A person may engage in intrastate commerce in the  
25 business of buying, selling, preparing, processing, packing, storing, transporting or  
26 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:

- 27 A. Custom slaughterer, except that itinerant custom slaughterers who slaughter  
28 solely at a customer's home or farm and who do not own, operate or work at a  
29 slaughtering plant are exempt from the registration provisions of this section;
- 30 B. Custom processor;
- 31 C. Poultry producer who processes fewer than 1,000 birds annually under section  
32 2517-C; and
- 33 D. A person in any other category that the commissioner may by rule establish.

34 **Sec. 5. 22 MRSA §2517-D** is enacted to read:

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**§2517-D. Rental of a licensed slaughterhouse**

**1. Contract slaughtering.** A commercial slaughterhouse or custom slaughterhouse licensed under section 2514 or a custom slaughterhouse registered under section 2514-A, but not engaging in the custom slaughter of poultry, may enter into a contract with a poultry producer who otherwise meets the requirements of the exemption for poultry producers that slaughter or process 20,000 or fewer poultry under the federal Poultry Products Inspection Act, 21 United States Code, Section 464(c)(3) to rent that slaughterhouse to the poultry producer for the slaughter and processing of the poultry producer's poultry.

Poultry slaughtered and processed under the rental contract must be slaughtered and processed by the poultry producer.

A poultry producer that otherwise meets the requirements of the 20,000 or fewer poultry exemption, and having the intent to rent a slaughterhouse that is currently used by another poultry producer that meets the requirements of the exemption, must obtain approval from the administrator of the federal Food Safety and Inspection Service within the United States Department of Agriculture prior to rental of the slaughterhouse.

**2. Restrictions on point of sale.** Poultry slaughtered and processed under this section may not be offered for sale or transportation in interstate commerce.

**3. Labeling.** Packaging for poultry slaughtered and processed under this section must bear the name and address of the renting poultry producer and the statement "Exempted P.L. 90-492."

**Sec. 6. 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.

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**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. 7. 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 strikes and replaces the bill and changes the title. It establishes a registration process for certain poultry slaughterers and processors. The amendment allows a licensed or registered slaughterhouse to contract with certain poultry producers for the rental of the slaughterhouse for the purposes of slaughtering poultry. The amendment requires the renting producer's poultry to be slaughtered and processed by that producer. It prohibits the poultry slaughtered and processed under the rental contract from being sold or transported for interstate commerce. The amendment also requires certain information to be printed on the labels of the poultry products produced by the producer renting a licensed or registered slaughterhouse.

**FISCAL NOTE REQUIRED**

**(See attached)**

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# 126th MAINE LEGISLATURE

LD 259

LR 716(02)

**An Act To Allow a Person Who Owns a Slaughterhouse To Slaughter Poultry for Other People**

**Fiscal Note for Bill as Amended by Committee Amendment**

**Committee: Agriculture, Conservation and Forestry**

**Fiscal Note Required: Yes**

*A(H-407)*

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## Fiscal Note

Minor cost increase - General Fund

### Fiscal Detail and Notes

Additional costs to the Department of Agriculture, Conservation and Forestry associated with this legislation can be absorbed within existing budgeted resources.