

H.52

Introduced by Representatives Komline of Dorset, Chesnut-Tangerman of  
Middletown Springs, Young of Glover, and Zagar of Barnard

Referred to Committee on

Date:

Subject: Agriculture; poultry inspection; exceptions

Statement of purpose of bill as introduced: This bill proposes to exempt from  
inspection poultry producers processing up to 4,999 birds, provided that certain  
criteria are met consistent with federal law.

An act relating to exceptions for inspection of poultry slaughtering

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 6 V.S.A. § 3312 is amended to read:

§ 3312. INSPECTION; EXCEPTIONS

(a) Not intended for human consumption. Inspection shall 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 which are not  
intended for use as human food, but these products shall, 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

1 ~~secretary~~ Secretary to deter their use for human food. These licensed  
2 establishments shall be subjected to periodic review.

3 (b) 1,000 bird exception. Inspection shall not be required for the slaughter  
4 or preparation of poultry products of the producer's own raising on the  
5 producer's own farm, whether or not they are intended for use as human  
6 food if:

7 (1) ~~Fewer~~ fewer than 1,000 birds are slaughtered annually; ~~and~~

8 (2) ~~No~~ no birds are offered for sale or transportation in interstate  
9 commerce; and

10 (3) ~~The~~ the poultry products are only sold, as whole birds only, from the  
11 farm, at a farmers' market, or to a food restaurant licensed by the  
12 ~~commissioner of health~~ Commissioner of Health, or are for personal use.

13 (c) 5,000 bird exception. Inspection shall not be required for the slaughter  
14 or preparation of poultry products of the producer's own raising on the  
15 producer's own farm, whether or not they are intended for use as human  
16 food provided that:

17 (1) the slaughtering or preparation is done on the producer's premises;

18 (2) fewer than 5,000 birds are slaughtered annually;

19 (3) no birds are offered for sale or transportation in interstate commerce;

20 (4) the producer's facility is not used to slaughter or process poultry by  
21 any other person or business;

1           (5) the producer does not purchase birds for resale that have been  
2           processed under any exemption under this section;

3           (6) the poultry are healthy when slaughtered; and

4           (7) slaughter and processing are conducted using sanitary standards,  
5           practices, and procedures to produce poultry products that are not adulterated.

6           (d) Labeling requirements. All poultry and poultry products that are  
7           exempt under this section shall be labeled as follows:

8           (1) All poultry sold at a farmers' market or to a restaurant pursuant to  
9           the exemption in subsection (b) of this section shall be labeled with the  
10          following information:

11           ~~(1)~~(A) Name of farm and name of producer;\_

12           ~~(2)~~(B) Address of farm including zip code;\_

13           ~~(3)~~(C) "Exempt per 6 V.S.A. § 3312(b): NOT INSPECTED." This  
14          statement shall be prominently displayed with such conspicuousness (as  
15          compared with other words or statements, designs, or devices in the labeling)  
16          as to render it likely to be read and understood under customary conditions of  
17          purchase and use.

18           ~~(4)~~(D) Safe handling and cooking instructions as follows:

19           "SAFE HANDLING INSTRUCTIONS:

20           Keep refrigerated or frozen. Thaw in refrigerator or microwave.

21           Keep raw poultry separate from other foods.

1 Wash working surfaces, including cutting boards, utensils, and hands  
2 after touching raw poultry.

3 Cook thoroughly to an internal temperature of at least 165 degrees  
4 Fahrenheit maintained for at least 15 seconds.

5 Keep hot foods hot. Refrigerate leftovers immediately or discard.”

6 (2) All poultry and poultry products sold pursuant to the exemption in  
7 subsection (c) of this section shall be labeled with the following information:

8 (A) Name of farm and name of producer.

9 (B) Address of farm, including zip code.

10 (C) “Exempted—P.L. 90-492: NOT INSPECTED.” This statement  
11 shall be prominently displayed with such conspicuousness (as compared with  
12 other words or statements, designs, or devices in the labeling) as to render it  
13 likely to be read and understood under customary conditions of purchase  
14 and use.

15 (D) Safe handling and cooking instructions as follows:

16 “SAFE HANDLING INSTRUCTIONS:

17 Keep refrigerated or frozen. Thaw in refrigerator or microwave.

18 Keep raw poultry separate from other foods.

19 Wash working surfaces, including cutting boards, utensils, and hands  
20 after touching raw poultry.

1           Cook thoroughly to an internal temperature of at least 165 degrees  
2           Fahrenheit maintained for at least 15 seconds.

3           Keep hot foods hot. Refrigerate leftovers immediately or discard.”

4           ~~(d)~~(e) Menu labeling requirements. Any menu item that includes poultry  
5           that is exempt under this section shall clearly state the name of the farm from  
6           which the poultry was purchased and shall prominently display the words  
7           “poultry processed on the farm and not inspected” on the menu in proximity to  
8           the menu item. Poultry sold to food restaurants under the ~~exemption~~  
9           exemptions in this section shall include a label alerting the purchaser to these  
10          labeling requirements.

11          ~~(e)~~(f) Signed statement requirement. The poultry producer, upon first  
12          selling poultry to a food restaurant, ~~must~~ shall procure a signed statement from  
13          the food restaurant stating that the food restaurant is aware that the poultry is  
14          exempted from inspection under subsection (b) or (c) of this section, and that  
15          the menu of the food restaurant must have the information required by  
16          subsection ~~(d)~~(e) of this section. The poultry producer ~~must~~ shall keep the  
17          signed statement on file as long as the producer is selling poultry to the food  
18          restaurant under this section. The poultry producer ~~must~~ shall have a signed  
19          statement on file from each food restaurant to which poultry is sold under this  
20          section and an exact copy of each statement, including the name of the

1 producer and the name of the purchasing restaurant shall be forwarded to the  
2 ~~department of health~~ Department of Health.

3 Sec. 2. EFFECTIVE DATE

4 This act shall take effect on passage.