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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.