

CONFIDENTIAL

LEGISLATIVE BILL REVIEW FORM: 2016

Bill Number: H. 860 Name of Bill: An Act Relating to on-farm livestock slaughter

Agency/ Dept: Ag – Meat Inspection Author of Bill Review: Randy J. Quenneville – Meat Programs Section Chief

Date of Bill Review: 04-27-2016 **Related Bills and Key Players** _____

Status of Bill: (check one): ☐ Upon Introduction ☐ As passed by 1st body ☒ As passed by both

Recommended Position:

 Support Oppose X Remain Neutral Support with modifications identified in #8 below

Analysis of Bill

1. **Summary of bill and issue it addresses.** *In 2013 statute 6 VSA 204 §3311(a) was created to help address the practice of an individual buying livestock and slaughtering it themselves on the property where the animal was purchased. Prior to this law, the farm property needed to have a sanitary facility and custom slaughtering license in order to have the slaughter for another person performed on their property. The law was set to be repealed on July 1, 2016. H. 860 was created to extend the repeal date based on testimony that many people were using the exemption from inspection but very few were reporting as required by the law.*

The Senate amended the Bill to increase the allowable numbers of animals that could be slaughtered in a calendar year, add a registration component along with the required reporting, and change the frequency of reporting from monthly to quarterly. The senate version cleared up a misconception that the farmer could sell to multiple owners by stating that the halving or quartering of carcasses was permissible, but only for the purpose of transport. The Senate version also added an outreach and education component to be conducted by the Agency for "interested parties"

2. **Is there a need for this bill?** Although the bill does not really address food safety, it does help small and beginning farmers to evaluate the locality to see if there is a market for these types of products. If they choose to grow more than what the law allows, there are existing provisions to upgrade the farm to meet sanitary facility requirements and capture more of the market share.
3. **What are likely to be the fiscal and programmatic implications of this bill for this Department?** There are no funds granted to help with the outreach and education. Another challenge is how to determine the “interested parties” with whom this outreach is to take place. The Agency does not have a registry or list of people who might like to take advantage of this particular law.
From a food safety perspective, there is also no clear definition as to what constitutes a sanitary condition. Upon passage of the original Bill in 2013, it was left to the Agency to “further define the term”. However, the Agency received a letter from the Senate Ag chair stating that the expectation for this law was to allow Vermonters to “slaughter in a natural setting, such as an open field, with a tree from which to hang the carcass”.. While the Federal Meat Inspection Act and State regulations do not expressly prohibit outdoor slaughter, in order to maintain sanitary conditions, the slaughterer would have to account for open air

conditions that may lead to adulteration, e.g. contamination from dirt, dust or debris, or access to product by flies, mice or birds.

4. **What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?** One section of the bill, (a)(2)(B)(i), indicates that the site for slaughter should be located or designed in a way to prevent "the occurrence of water pollution". That could generate interest from the Agricultural Resources Management division and their water quality division.
5. **What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** If the location does not qualify as an official farm, then the Agency of Natural Resources would have concerns about the wastewater disposal system. In addition, the Bill may impact existing town ordinances.
6. **Other Stakeholders:**

6.1 Who else is likely to support the proposal and why? The organization, Rural Vermont, supports most of the bill as a means to help small farmers sell more farm products to help with the viability of those farms. Other small farmers who do not like to transport live animals and ethnic groups whose culture supports personal slaughter activities would likely support this Bill.

6.2 Who else is likely to oppose the proposal and why?

During testimony, representatives from inspected slaughter establishments voiced their opposition on several fronts. Slaughtering and processing meat products for human consumption have inherent food safety risks, and inspected establishments are required to mitigate this risk through required written Humane Handling plans, written Hazard Analysis Critical Control Point Plans (HACCP), written sanitary standard operating procedures (SSOP) documenting that food contact surfaces are clean and ready for use, microbiological sampling programs, etc. All in an effort to produce safe food products. However, none of the risk is mitigated by on-farm slaughter, and the representatives of the meat industry in VT are concerned about a lack of oversight of sanitation and food safety.

Concerns have also been expressed that the expansion of the exemption may undermine the infrastructure of available places that perform the slaughter services in sanitary facilities for future generations.

USDA's Food Safety and Inspection Service may have concerns if the law is regarded as a way to circumvent the sanitary facility standards. Per Legislative counsel testimony and previous written communications received from USDA FSIS, they are currently ok with the proposed numbers allowed by the law.

Also, establishments or farms that have chosen to meet the sanitary standards may feel that those who choose to use this exemption have an unfair economic advantage because they did not have to invest in any kind of sanitary facility.

Neighbors and towns may have an opposition to slaughter done in the open, or an opposition to smell or property run-off from such activities.

The Vermont Livestock Care Standards Advisory Council (LCSAC), including members appointed by the Governor, unanimously opposes this bill based on concerns regarding the ability of livestock owners to slaughter livestock humanely in uncontrolled environments and with no oversight by trained professionals. The LCSAC submitted a letter to the House and Senate Committees on Agriculture

outlining its concern with delaying the sunset date of this exemption that potentially puts livestock well-being at risk.

7. **Rationale for recommendation:** *Either way the local food movement will continue. It is helpful to have clarification in state statute that reiterates the Federal Act regarding the allowable practices related to on-farm slaughter.*
8. **Specific modifications that would be needed to recommend support of this bill:**
9. **Will this bill create a new board or commission AND/OR add or remove appointees to an existing one? If so, which one and how many? No**

Secretary/Commissioner has reviewed this document:

Deane B. [Signature]

Date: 4/29/16

