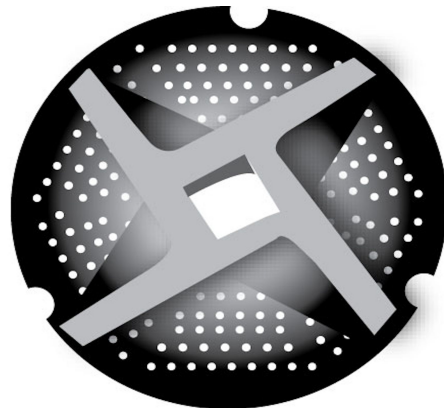


STATE POULTRY PROCESSING REGULATIONS

Niche Meat Processor Assistance Network

Version date: October 2015

NOTE: This version includes 46 of the 50 states. We will add information for the remaining states as it becomes available.



NICHE MEAT PROCESSOR

ASSISTANCE NETWORK

www.nichemeatprocessing.org

Introduction

Poultry processing regulations can be confusing, especially for small-scale producers and processors. This guide provides an overview of state-level poultry processing laws and regulations.

The federal Poultry Products Inspection Act (PPIA), administered by USDA's Food Safety and Inspection Service (FSIS) is the baseline. Twenty-five states maintain their own state meat and poultry inspection programs (http://www.fsis.usda.gov/regulations_&_policies/Listing_of_Participating_States/index.asp).

The PPIA contains a set of exemptions to the inspection requirement, designed for small producers and processors. Operations that qualify for one of the exemptions may process poultry without bird-by-bird (or "continuous") inspection by a federal or state inspector. Exempt operations are only exempt from continuous inspection – they still have to follow sanitation, recordkeeping, and other rules.

The PPIA exemptions are explained in the FSIS guide: "Guidance for Determining Whether a Poultry Slaughter or Processing Operation is Exempt from Inspection Requirements of the Poultry Products Inspection Act," which can be found on the NMPAN website at <http://www.extension.org/pages/33350/poultry-processing-regulations-and-exemptions>.

And on this NMPAN webinar, "Poultry Processing Exemptions II": [http://www.extension.org/pages/Poultry_Processing_Exemptions_II_\(2010\)](http://www.extension.org/pages/Poultry_Processing_Exemptions_II_(2010))

What's in this Guide

This NMPAN guide updates and expands upon our original version in 2010; that report built on a 2001 report, "Legal Issues for Small-Scale Poultry Processors: Part 2, Laws by States," written by Janie Hipp, JD, LLM, for Heifer Project International. We collected information directly from state regulators, often going back several times to clarify.

That said, this guide is NOT a legal document and should NOT be considered legal advice. Please double-check with state agencies and/or FSIS before you start any processing operation.

The states are presented in alphabetical order. For each state, we provide a summary of state laws and regulations related to poultry processing, with a focus on how (and whether) the federal exemptions work in that state. We also provide links to useful resources, laws, and other online sources as available, along with contact info for the relevant agencies. Keep in mind that your county, city, and any other local jurisdiction may have additional rules about food processing and selling.

Please note that we do not cover each federal exemption for each state. We focus on the exemptions most relevant to small-scale producers and processors who wish to sell their poultry. (For example, we don't discuss the personal use exemption – slaughtering your own birds on your own farm for your own dinner table – and we haven't heard of any state where this is not allowed.)

Other Useful Links

Federal Poultry Products Inspection Act (PPIA): <http://www.fsis.usda.gov/wps/portal/fsis/topics/rulemaking/poultry-products-inspection-acts>

USDA-FSIS Sanitation Regulations (Title 9 CFR, Animals and Animal Products, Ch. III FSIS/USDA, Part 416 Sanitation): http://www.access.gpo.gov/nara/cfr/waisidx_07/9cfr416_07.html

FSIS home page: <http://www.fsis.usda.gov/wps/portal/fsis/home>

FSIS Small & Very Small Plant Outreach:
<http://www.fsis.usda.gov/wps/portal/fsis/topics/regulatory-compliance/haccp/small-and-very-small-plant-outreach>

AskFSIS: <http://askfsis.custhelp.com/>

Acknowledgements

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Any questions or concerns about this guide should be directed to Lauren Gwin, NMPAN Director, lauren.gwin@oregonstate.edu or Kathryn Quanbeck, NMPAN Program Manager, kathryn.quanbeck@oregonstate.edu.

ALABAMA

Alabama has a state poultry inspection program, administered by the Alabama Department of Agriculture and Industries (ADAI). ADAI inspects state, custom-exempt, and federal plants (per the Talmadge-Aiken Act).

Summary

1. Does Alabama accept the federal exemptions for poultry processing?

Yes. ADAI has adopted all the federal exemptions.

2. Does Alabama require licensing to process poultry?

No.

3. Does Alabama have sanitation requirements for processing facilities?

Yes. Alabama follows the USDA sanitation requirements (9 CFR 416). For those under exemption, ADAI conducts periodic inspection of operations to ensure they are meeting requirements.

4. Do I need to talk to anyone locally other than ADAI?

No. Contact ADAI to determine specific requirements for your operation.

5. Where can I sell my poultry?

There are no restrictions for where poultry can be sold within the state other than those specified in the USDA exemptions.

Useful Links

Alabama Department of Agriculture and Industries, Animal Industries:

<http://www.alabama.gov/silverheader/Welcome.do?url=http://agi.alabama.gov/>

Laws

Alabama Administrative Code: 2-17-1, 2-17-38, 2-15-110, 80-3-10-02, and 80-3-10-03.

Contact

Alabama Department of Agriculture and Industries

Meat & Poultry Inspection

1445 Federal Drive

Montgomery, AL 36107

Phone: (334) 240-7210

Fax: (334) 240-7167

Cal Norris, Unit Manager

Cal.Norris@fsis.usda.gov

ALASKA

Alaska does not have a state poultry inspection program.

Summary

1. Does Alaska accept the federal exemptions for poultry processing?

Yes. Alaska follows USDA's exemption guidelines. Small-scale processors who qualify to operate under a federal exemption must obtain a state permit and comply with state requirements for the Food Safety and Sanitation Program. These requirements apply to all processors and sellers of food in Alaska who do any processing other than slaughtering and dressing.

2. Does Alaska require licensing to process poultry?

Yes. The Food Safety and Sanitation Program, administered by the Department of Environmental Conservation's Division of Environmental Health, requires food processing permits for food poultry processing activities other than slaughtering and dressing.

3. Does Alaska have sanitation requirements for processing facilities?

Yes. Growers slaughtering, dressing, and selling poultry under one of the federal exemptions must meet all federal sanitation requirements. State-licensed processing facilities must also meet the requirements in the Alaska Food Code.

4. Do I need to talk to anyone locally other than the Department of Environmental Conservation?

The Municipality of Anchorage regulates food service establishments within the Municipality. Please contact the Municipality of Anchorage, Environmental Services Section, for any specific municipal requirements if your operation is in the City.

5. Where can I sell my poultry?

The state Food Safety and Sanitation Program does not require inspection prior to commercial sale of poultry slaughtered, dressed, and sold by growers under one of the federal exemptions. However, exempt poultry may only be sold directly to the consumer at the place of slaughter or sold directly to a state- or municipality-permitted food establishment.

Useful Links

Department of Environmental Conservation, Food Safety and Sanitation Program:

<http://dec.alaska.gov/eh/fss/index.htm>

Department of Environmental Conservation, Office of the State Veterinarian:

<http://dec.alaska.gov/eh/vet/index.htm>

Laws

Department of Environmental Conservation Alaska Food Code (Title 18 Chapter 31, 18 AAC 31):

<https://dec.alaska.gov/Commish/regulations/index.htm>

Contact

For more information, contact your local representative of the Food Safety and Sanitation Program of the Department of Environmental Conservation or DEC headquarters:

Department of Environmental Conservation
Food Safety and Sanitation Program
555 Cordova Street
Anchorage, AK 99501
Phone: (907) 269-7501
<http://dec.alaska.gov/eh/index.htm>

Municipality of Anchorage
Department of Health and Human Services Environmental Section
825 L Street, 3rd Floor
Anchorage, AK 99501
Phone: (907) 343-4200
Tony Barrett, Food Safety Program Manager

ARIZONA

Arizona has a state poultry inspection program, administered by the Department of Agriculture, Animal Services Division.

Summary

1. Does Arizona accept the federal exemptions for poultry processing?

Yes. Arizona statute mirrors the federal statute regarding exemptions.

2. Does Arizona require licensing to process poultry?

Yes and no. If you are an official establishment inspected by the state meat and poultry inspection program, yes. If you are processing under one of the federal poultry processing exemptions, no.

3. Does Arizona have sanitation requirements for processing facilities?

Yes, for all facilities except those processing under one of the federal poultry processing exemptions.

4. Do I need to talk to anyone locally other than the Department of Agriculture Animal Services Division's Meat and Poultry Inspection Program?

Check with your county health department to see if there are county-level rules about selling exempt poultry.

5. Where can I sell my poultry?

If you are processing under one of the federal poultry processing exemptions, you can sell wherever the state statute (which mirrors the federal statute) allows (for those exemptions) as long as the product is correctly labeled and not adulterated.

Laws

Arizona Statutes, Title 3, Chapter 13, Article 5, 3-2162 (Poultry):

<http://www.azleg.state.az.us/FormatDocument.asp?inDoc=/ars/3/02162.htm&Title=3&DocType=ARS>

Regulations: <https://agriculture.az.gov/meat-and-poultry-inspection>

Agency Contacts

Department of Agriculture

Animal Services Division

Meat and Poultry Inspection

(602) 542-6398

<https://agriculture.az.gov/meat-and-poultry-inspection>

ARKANSAS

Arkansas does not have a state poultry inspection program.

Summary

1. Does Arkansas accept the federal exemptions for poultry processing?

Yes.

2. Does Arkansas require licensing to process poultry?

No.

3. Does Arkansas have sanitation requirements for processing facilities?

Arkansas follows the federal sanitation requirements (9 CFR 416).

4. Do I need to talk to anyone locally?

If you wish to process under an exemption, check with the FSIS District office in Springdale to make sure that you meet the federal requirements for that exemption.

5. Where can I sell my poultry? Exempt poultry can be sold according to the federal exemption regulations; the state does not impose additional restrictions. However, many restaurants, retail, and other buyers, as well as farmers' markets, will not buy or allow the sale of uninspected poultry, so check with them first.

Contact

FSIS District Office – Springdale
Mr. Paul Kiecker, District Manager
Country Club Center
Bldg. B, Suite 201
4700 South Thompson
Springdale, AR 72764
Phone: (479) 751-8412
Fax: (479) 751-9049

CALIFORNIA

California does not have a state poultry inspection program. The California Department of Food and Agriculture's Meat and Poultry Inspection Division (CDFA MPID) licenses and inspects exempt facilities.

Summary

1. Does California accept the federal exemptions for poultry processing?

Yes, in part. State law (CA Food and Ag Code, sxn 24713) allows an exemption if poultry is sold directly to household consumers at the farm, at their homes, or at farmers market stands operated by the producer, as long as all the processing is done by the producer's immediate family.

State law (CA Food and Ag Code, sxn 24714) also allows an exemption if the entire output of poultry from an operation is sold directly to household consumers on the same premises where they are produced and slaughtered. In this case, the farm may have non-family employees do the processing.

In both cases, the total number of birds processed may not exceed 20,000 per year. And poultry produced under these exemptions cannot be sold wholesale to restaurants, grocery stores, or middlemen, such as distributors or wholesalers.

2. Does California require licensing to process poultry?

Yes.

3. Does California have sanitation requirements for processing facilities?

Yes.

4. Do I need to talk to anyone locally?

Your county health department. Many counties do not allow exempt poultry to be sold at farmers markets; it must be processed at an "approved source," which does not include an exempt operation.

5. Where can I sell my poultry?

See above.

Useful Links

California Department of Food and Agriculture Meat and Poultry Inspection:

http://www.cdfa.ca.gov/ahfss/Meat_and_Poultry_Inspection/index.html

Poultry Slaughter and Processing in Marin County (also explains state law):

http://ucanr.org/sites/Grown_in_Marin/files/83622.pdf

Laws

Go to http://www.cdfa.ca.gov/ahfss/Meat_and_Poultry_Inspection/index.html and scroll down to "Other resources" on the lower left hand side, for links to state laws and regulations.

Contact

California Department of Food and Agriculture - Meat and Poultry Inspection
1220 N Street
Sacramento, California 95814

Telephone: (916) 900-5004
Fax: (916) 900-5334
cdfa.mpes_feedback@cdfa.ca.gov

COLORADO

Colorado does not have a state poultry inspection program.

Summary

1. Does Colorado accept the federal exemptions for poultry processing?

Yes, but only the custom exemption, for the owner's consumption only. Sale of exempt poultry is not permitted. Colorado Department of Agriculture (CDA) officials do facility inspections for custom exempt processors to ensure a sanitary processing environment.

2. Does Colorado require licensing to process poultry?

Yes. Anyone involved in custom processing must be licensed by CDA and meet all construction and operation requirements.

3. Does Colorado have sanitation requirements for processing facilities?

Yes. Licensed facilities must meet state sanitation requirements (see link below). Sanitation visits are performed periodically to ensure that poultry processing is being done in a clean and sanitary manner. Frequency of sanitation visits vary depending on operation.

4. Do I need to talk to anyone locally other than CDA?

Yes. If interested in selling poultry, you must speak with the Colorado Department of Public Health and Environment to attain approval. However, approval will only be granted to USDA inspected operations. Otherwise, contact CDA for licensing of custom slaughter facilities.

5. Where can I sell my poultry?

No one operating as an exempt processor may sell poultry. Poultry can only be sold if processed under USDA inspection. See #4 regarding approval to sell inspected poultry.

Useful Links

Department of Agriculture website - Meat Processing:

<http://www.colorado.gov/cs/Satellite/Agriculture-Main/CDAG/1167928218817>

Colorado Department of Public Health and Environment (CDPHE):

<http://www.cdphe.state.co.us/CP/index.html>

Laws

Laws and Regulations for Meat Custom Processing (Title 35, Article 33: Custom Processing of Meat Animals Act):

<http://www.colorado.gov/cs/Satellite?c=Page&cid=1178305487959&pagename=Agriculture-Main%2FCDAGLayout>

Contact

Division of Inspection & Consumer Services

Colorado Department of Agriculture

2331 West 31st Avenue

Denver, CO 80211

Phone: (303) 477-0076

Fax: (303) 480-9236

For Custom Slaughter Licensing contact:
Feed Program Administrator
Meat Processor Program Administrator
Scott Ziehr, M.S.
Phone (303) 480-9236
Scott.Ziehr@state.co.us

Colorado Department of Public Health and Environment (CDPHE)
Susan Parachini, Food Program Manager/Director
Phone: (303) 692-3646
susan.parachini@state.co.us

CONNECTICUT

Connecticut does not have a state poultry inspection program.

Summary

1. Does Connecticut accept the federal exemptions for poultry processing?

Yes. As of 2011, Connecticut accepts the federal exemptions, but you cannot sell poultry meat in Connecticut unless your facility is inspected by the Connecticut Department of Agriculture (CDA) to be an approved food source for household consumers, restaurants, hotels and boarding houses (see Connecticut Public Act No. 10-103).

The Connecticut Poultry Slaughter Safety Inspection Program is available to any poultry producer of not more than five thousand turkeys or twenty thousand poultry. Participating facilities must register with the USDA, are subject to USDA inspections, and must operate under the USDA exemption applied for.

2. Does Connecticut require licensing to process poultry?

No.

3. Does Connecticut have sanitation requirements for processing facilities?

Yes. State regulations for slaughterhouses are explained in the Connecticut Public Health Code. You can also contact CDA for a copy of their guide, "Connecticut Poultry Slaughter Facility Inspection Program for USDA Exempt Poultry Slaughter Facilities."

4. Do I need to talk to anyone locally other than the Connecticut Department of Agriculture?

No.

5. Where can I sell my poultry?

Poultry growers/processors are allowed to sell poultry meat in the state to household consumers, restaurants, hotels and boarding houses if the processing facility is inspected by CDA.

Useful Links

Farmers' Guide to Processing and Selling Meat and Poultry in Connecticut:

http://www.ct.gov/doag/lib/doag/marketing_files/farmers_guide_to_processing_and_selling_meat_and_poultry_in_ct.pdf

Connecticut Department of Agriculture Bureau of Regulation and Inspection:

<http://www.ct.gov/doag/cwp/view.asp?a=1367&q=259106&doagNav=>

Laws

Connecticut Department of Health Public Health Code 19-13-B78 and 19-13-B79, Sanitation of Slaughterhouses: http://www.dir.ct.gov/dph/PHC/docs/26_Sanitation_of_Slaughterh.doc

Connecticut Public Act No. 10-103, An Act Concerning Farms, Food and Jobs (see section 4, p. 6): <http://www.cga.ct.gov/2010/ACT/Pa/pdf/2010PA-00103-R00HB-05419-PA.pdf>

Contact

Connecticut Department of Agriculture
165 Capitol Avenue
Hartford, CT 06106

Phone: (860) 713-2500

Fax: (860) 713-2515

Wayne Kasacek, Assistant Director
Bureau of Regulations and Inspections

Wayne.Kasacek@ct.gov

Phone: (860) 713-2500

FLORIDA

Florida does not have a state poultry inspection program. The rules and statutes under Chapter 500, Florida Statutes and Chapter 5K-4, Florida Administrative Code cover all food processing, including operations that qualify for federal exemptions, within the state.

Summary

1. Does Florida accept the federal exemptions for poultry processing?

Yes. However, even exempt operations must comply with state licensing requirements.

2. Does Florida require licensing to process poultry?

Yes. All food processors in the state, including those exempt from federal inspection, are required to obtain an Annual Food Permit from the Division of Food Safety and are subject to regular sanitation inspections.

3. Does Florida have sanitation requirements for processing facilities?

Yes. State sanitation requirements are consistent with the U.S. Food and Drug Administration's 2001 Food Code and are spelled out in the Minimum Construction Standards and Specifications Checklist.

4. Do I need to talk to anyone locally other than the Florida Department of Agriculture and Consumer Services?

Yes. To start your own small-scale poultry processing operation, contact your local county extension agent first, and then contact the Department of Agriculture and Consumer Services.

5. Where can I sell my poultry?

With a valid Annual Food Permit, growers/producers are not restricted on where they can sell their poultry within the state. However, a Mobile Food Vendor Permit issued from the Division of Food Safety is required to sell poultry at a farmers' market.

Useful Links

Minimum Construction Standards and Specifications Checklist:

http://www.freshfromflorida.com/fs/min_standards_chklist.pdf

University of Florida Meat Extension: http://www.animal.ufl.edu/extension/meat/meat_proc_center.shtml

Laws

Chapter 5K-4, Food, Florida Administrative Code:

<https://www.flrules.org/gateway/ChapterHome.asp?Chapter=5K-4>

Chapter 5K-5, Poultry, Florida Administrative Code:

<https://www.flrules.org/gateway/ChapterHome.asp?Chapter=5K-5>

Contact

Florida Department of Agriculture & Consumer Services
Division of Food Safety, Bureau of Food and Meat Inspection
3125 Conner Boulevard
Tallahassee, FL 32399-1650
Phone: (850) 245-5520
Fax: (850) 245-5553

Food Inspection foodinsp@freshfromflorida.com
Paulina Brewer, Biological Administrator, Poultry and Egg Grading (850) 245-5520

University of Florida
Institute of Food and Agricultural Sciences, Meat Extension
PO Box 110910
Gainesville, Florida 32611
Phone: (352) 392-2454
Fax: (352) 392-7652
E-mail: chadcarr@ufl.edu

IDAHO

Idaho does not have a state poultry inspection program. All food establishments, including processors, are inspected by the Idaho Department of Health and Welfare's designated regulatory authorities, which are the state's seven Public Health Districts. Each Health District is a separate, autonomous agency (not a division of Health and Welfare).

Summary

1. Does Idaho accept the federal exemptions for poultry processing?

Yes. However, growers/producers should check with the designated local Public Health District for their region to ensure they meet all requirements for exemption.

2. Does Idaho require licensing to process poultry?

Yes. The Public Health Districts issue licenses and are responsible for inspecting establishments to ensure they meet the Department of Health and Welfare's rules and policies.

3. Does Idaho have sanitation requirements for processing facilities?

Idaho follows the USDA sanitation requirements (9 CFR 416).

4. Do I need to talk to anyone locally?

Yes. Contact the designated Public Health District for your region (see link below).

5. Where can I sell my poultry?

Licensed poultry producers can sell/distribute their product anywhere in Idaho. The Idaho Food Code now stipulates that poultry under federal exemption may be sold, served, or given away in Idaho if it is processed in a licensed food processing facility and is labeled "Exempt from USDA Inspection per P.L. 492."

Useful Links

For Idaho Department of Health and Welfare Public Health Districts, visit:

<http://www.healthandwelfare.idaho.gov/Health/HealthDistricts/tabid/97/Default.aspx>

Laws

Idaho Statutes, Title 39 Health and Safety, Chapter 16 Food Establishment Act:

<http://www.legislature.idaho.gov/idstat/Title39/T39CH16.htm>

Food Safety and Sanitation Standards for Food Establishments (The Idaho Food Code):

<http://www.healthandwelfare.idaho.gov/Health/FoodProtection/IdahoFoodCode/tabid/765/Default.aspx>

Contact

Idaho Department of Health and Welfare

450 W. State St. 4th Floor

Boise, ID 83720-0036

Phone: (208) 334-5936

Fax: (208) 332-7307

INDIANA

Indiana has a state poultry inspection program, administered by the Indiana Board of Animal Health (BOAH), as authorized by the Indiana Meat and Poultry Inspection Humane Slaughter Act.

Summary

1. Does Indiana accept the federal exemptions for poultry processing?

Yes. The state accepts portions of the federal regulations as specified in the Indiana Meat and Poultry Inspection Humane Slaughter Act. The state exempts from inspection a producer who is slaughtering his own animals for use within his own household, for use by former members of his household, or for use by his nonpaying guests and employees. Custom slaughterers of birds for such producers are also exempt. For poultry sold at retail – including farmers’ markets – the regulations are as follows:

Up to 1,000 birds - Up to 1,000 poultry raised by an individual may be processed without inspection and sold from the farm, at farmers’ markets and roadside stands only to household consumers. From the farm, poultry may be sold refrigerated. From roadside stands and farmers’ markets, poultry must be frozen. Poultry must be properly labeled.

1,000 to 20,000 birds - poultry raised by an individual may be processed without inspection and sold from the farm, at farmers’ markets and roadside stands. At this volume, the facilities must be approved by BOAH MPI. A grant of exemption is issued and the facility is subject to at least two sanitation inspections per year. As with the 1,000 bird exemption, these birds may only be sold to the household consumer; refrigerated from the farm, frozen at roadside stands, farmers’ markets and must be properly labeled.

2. Does Indiana require licensing to process poultry?

No. Facilities that undergo inspection receive a permit. Custom exempt operations are not required to have a permit, though their products must be marked "Not for Sale" and must go back to the animal owner for use exclusively in his/her household.

3. Does Indiana have sanitation requirements for processing facilities?

Indiana follows the USDA sanitation requirements (9 CFR 416).

4. Do I need to talk to anyone locally other than the Indiana Board of Animal Health?

Yes. Anyone interested in starting a poultry processing operation should check with local municipalities for zoning requirements. The BOAH can then answer questions and help determine if a permit is required or if an operation falls under exemption.

5. Where can I sell my poultry?

State-inspected operations can sell directly to the consumer, hotels, restaurants, and retail stores within Indiana. Custom-exempt plants can only process poultry for the owners, their families and guests. Slaughter of live birds at market is not allowed. Those following the exemptions (see above) may sell from the farm, at farmers’ markets and roadside stands only to household consumers.

Laws

Meat and Poultry Inspection Humane Slaughter Act (Chapter 5): search Indiana Code, Cite § 15-17-5.
Indiana Administrative Code: <http://www.in.gov/legislative/iac/title345.html>

Contact

Indiana State Board of Animal Health
Division of Meat & Poultry

Discovery Hall, Suite 100

1202 East 38th Street

Indianapolis, IN 46205

Phone: (317) 544-2405

Fax: (317) 971-2011

Toll free 1-877-747-3038

animalhealth@boah.in.gov

<http://www.in.gov/boah/2332.htm>

IOWA

Iowa has a state poultry inspection program, administered by the Iowa Department of Agriculture and Land Stewardship, Meat and Poultry Inspection Bureau.

Summary

1. Does Iowa accept the federal exemptions for poultry processing?

Yes. If not undergoing inspection by the USDA or State of Iowa, a producer may fall under one of five exemptions. Details for the exemptions are in the ISU Extension guide (see below).

2. Does Iowa require licensing to process poultry?

Yes. The Iowa Department of Inspections and Appeals, Food and Consumer Safety Bureau provides four different licenses depending on where poultry is sold. See page 3 of the ISU extension guide (see below).

3. Does Iowa have sanitation requirements for processing facilities?

Iowa follows the USDA sanitation requirements. In addition, Chapter 76 Iowa Code 21-76.5 (189A) provides sanitation standard operation procedures for custom-exempt facilities. Iowa-inspected custom-exempt facilities shall develop and implement a sanitation standard operation procedure (SSOP) in a manner consistent with Section 416.12, Title 9, Chapter 111, and USDA regulations Code of Federal Regulations (see below).

4. Do I need to talk to anyone locally other than the Iowa Meat and Poultry Inspection Bureau?

Yes. For retail stores and farmers market information, contact the Iowa Department of Inspection and Appeals, Food and Consumer Safety Bureau (see contact information below). If operating an existing facility, contact the Iowa Meat and Poultry Inspection Bureau office to arrange for a facility review by one of the Supervisory Veterinarians.

5. Where can I sell my poultry?

Where the poultry products can be distributed and sold is determined by the inspection status/exemption they fall under. See the table on page 2 of the ISU Extension guide for more details (see below).

Useful Links

ISU Extension Guide *Iowa Poultry Slaughter, Processing, and Sales Guidelines for Small-scale Producers*: <https://www.extension.iastate.edu/store/ItemDetail.aspx?ProductID=13044>

Iowa State Licensed Meat and Poultry Plants: <http://idalsdata.org/IowaData/meatAndPoultry.cfm>

Laws

Iowa Meat and Poultry Inspection legislation, Chapter 76:
<https://www.legis.iowa.gov/docs/ACO/chapter/21.76.pdf>

Contact

Iowa Department of Inspection and Appeals
Food and Consumer Safety Bureau
Lucas Bldg, 3rd Fl.,
321 East 12th Street
Des Moines, Iowa 50319

Phone: (515) 281-6538
www.state.ia.us/government/dia

Iowa Department of Agriculture
Iowa Meat and Poultry Inspection Bureau
Wallace State Office Building
502 East 9th Street
Des Moines, Iowa 50319
Phone: (515) 281-3338

MeatAndPoultry@iowaagriculture.gov
www.iowaagriculture.gov/meatAndPoultryInspection.asp
Randall Larson, Meat & Poultry Inspection Bureau Chief

KANSAS

Kansas has a state poultry inspection program, administered by the Kansas Department of Agriculture.

Summary

1. Does Kansas accept the federal exemptions for poultry processing?

Yes. The state accepts portions of the federal regulations as specified in the Kansas Meat and Poultry Inspection Act (see link below). The state exempts from inspection a producer who is slaughtering his own animals for use within his own household, for use by former members of his household, or for use by his nonpaying guests and employees. Custom slaughterers of birds for such producers are also exempt.

2. Does Kansas require licensing to process poultry?

No. The Kansas Department of Agriculture staff inspects and registers commercial and custom slaughterhouses and processing facilities located in Kansas. All facilities, including fully inspected slaughter establishments, custom slaughter plants, inspected processors, and custom processors and distributors, must register with the Kansas Department of Agriculture.

3. Does Kansas have sanitation requirements for processing facilities?

Yes. Kansas follows the USDA sanitation requirements (9 CFR 416).

4. Do I need to talk to anyone locally other than the Kansas Department of Agriculture?

No. Persons interested in starting a small-scale poultry processing operation should contact the Department to schedule a visit of the establishment. During the visit, staff will make suggestions for how to meet requirements necessary to become registered and begin operating.

5. Where can I sell my poultry?

State inspected operations can sell directly to the consumer, hotels and restaurants and retail stores within Kansas. Custom exempt plants can only process poultry for the owners, their families, and guests.

Useful Links

Meat and Poultry Inspection Program:

<https://agriculture.ks.gov/divisions-programs/meat-and-poultry-inspection>

Laws

Kansas Meat and Poultry Inspection Act (Kansas Statutes Annotated):

http://www.kslegislature.org/li_2012/b2011_12/statute/065_000_0000_chapter/065_006a_0000_article/065_006a_0056_section/065_006a_0056_k/

Contact

Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502
Phone: (785) 564-6776
Fax: (785) 564-6778

Tony George, Program Manager, Meat & Poultry Inspection
Phone: (785) 564-6776
Tony.George@kda.ks.gov

KENTUCKY

Kentucky does not have a state poultry inspection program. Kentucky State University owns and manages a Mobile Processing Unit (MPU), which is used weekly. The MPU is housed at the Kentucky State University Research Farm, Mill Rd. Frankfort and managed by Steve Skelton, who can be reached at (502) 597-7501. A docking station is required to use the MPU: docking stations are available in Frankfort, KY (at the KSU Research Farm), in Jackson, KY and Morehead, KY. The MPU operates seasonally.

Summary

1. Does Kentucky accept the federal exemptions for poultry processing?

Yes. The federal inspection exemptions for small-scale poultry processors are available to Kentucky facilities; however any poultry processing in the state must also comply with provisions of the Kentucky Department of Public Health (KDPH).

2. Does Kentucky require licensing to process poultry?

Yes. KDPH typically requires exempt facilities to meet specific safety and sanitation requirements and obtain the appropriate permit. To be eligible for a commercial permit, a food processing facility must meet certain plumbing, structural, and fixture requirements.

The KSU MPU is a licensed facility and is inspected by the KY Department of Health at least annually and by USDA at agency discretion. To use the MPU under the federal producer/grower exemption, all producers must first attend a training and be retrained bi-annually.

3. Does Kentucky have sanitation requirements for processing facilities?

Kentucky follows the USDA sanitation requirements (9 CFR 416).

4. Do I need to talk to anyone locally other than the Kentucky Department of Public Health?

If you wish to start a poultry processing operation, and you have determined that you qualify for one of the federal exemptions, contact the local or state health department to determine what is required in your area. Contact University of Kentucky extension for poultry production and bird management information.

5. Where can I sell my poultry?

Product processed in a Kentucky Department for Public Health (DPH) permitted/inspected facility such as the KSU MPU can be marketed anywhere in the state. USDA-exempt operations in Kentucky must still meet the permit/inspection requirements of the KY DPH Food Safety Branch. Exempt operations that are permitted/inspected by KY DPH may sell anywhere within the state as long as they stay under the annual bird limit. Large grocers and some food service companies require inspection and will not purchase from exempt operations.

Useful Links

Kentucky Mobile Poultry Unit case study:

http://www.extension.org/pages/Kentucky_Mobile_Poultry_Processing_Unit

Contact

Kentucky Department of Agriculture
107 Corporate Drive
Frankfort, KY 40601
Phone: (502) 564-5126
www.kyagr.com

Kentucky Department of Agriculture
Office of Agricultural Marketing
111 Corporate Drive
Frankfort, KY 40601
Phone: (502) 573-0282, Option #1

Kentucky Department for Health Services
275 East Main St.
Frankfort, KY 40621
Phone: (502) 564-7181

Mark M. Reed, R.S., MPA, MPH, Manager--Kentucky Food Safety Branch, Mark.Reed@ky.gov

or

University of Kentucky
205 WT Garrigus Building
Lexington, KY 40546
Phone: (859) 257-7550

LOUISIANA

Louisiana has a state poultry inspection program, administered by the Louisiana Department of Agriculture and Forestry's Meat & Poultry Inspection Program, as authorized by the Louisiana Meat and Poultry Inspection Law.

Summary

1. Does Louisiana accept the federal exemptions for poultry processing?

Yes. The Louisiana Department of Agriculture and Forestry (LDAF) grants the USDA poultry exemptions and inspects intrastate operations. All other operations are inspected by USDA.

2. Does Louisiana require licensing to process poultry?

No. Anyone interested in processing poultry under an exemption must obtain a letter from the Louisiana Department of Agriculture and Forestry acknowledging the exemption their operation falls under.

3. Does Louisiana have sanitation requirements for processing facilities?

Louisiana follows the USDA sanitation requirements (9 CFR 416). For exempt operations, Louisiana uses USDA guidelines when conducting quarterly compliance checks.

4. Do I need to talk to anyone locally other than the Louisiana Department of Agriculture and Forestry?

No. The first step is to contact the LDAF and request an exemption. Once approved, the LDAF will send a letter acknowledging the exemption that has been granted.

5. Where can I sell my poultry?

There are no restrictions for where poultry can be sold within the state other than those specified in the USDA exemptions.

Useful Links

Louisiana Department of Agriculture and Forestry Animal Health and Food Safety – Federal and State Meat Program: <http://www.ldaf.state.la.us/animal-health/veterinary-health-division/federal-and-state-meat-programs/>

Steps to Apply for Inspection: <http://www.ldaf.state.la.us/animal-health/veterinary-health-division/federal-and-state-meat-programs/>

Laws

Louisiana Meat and Poultry Inspection Law (RS 3:4201):
<http://www.legis.state.la.us/lss/lss.asp?doc=86423>

Contact

Louisiana Department of Agriculture & Forestry
Office of Animal Health and Food Safety/Meat and Poultry Inspection
P. O. Box 1951
Baton Rouge, LA 70821
Phone: (225) 922-1358
Fax: (225) 237-5908
Jim Jenkins, Assistant Director:
jjenkins@ldaf.state.la.us

MAINE

Maine has a state poultry inspection program, administered by the Maine Department of Agriculture, Conservation and Forestry, per the Maine Revised Statute.

Summary

1. Does Maine accept the federal exemptions for poultry processing?

Yes. Maine statute mirrors the federal statute regarding exemptions.

2. Does Maine require licensing to process poultry?

Yes and No. Those processing under the 1,000 bird limit must register with Department of Agriculture, Conservation and Forestry.

Those processing under either of the 20,000 bird limit exemptions (Grower/Producer or Small Enterprise) must be licensed by the Department of Agriculture, Conservation and Forestry with a Commercial Food Processing license.

Retail Food Establishment license, with an additional retail authorization for prepackaged meat and poultry products, and a Mobile Vendor authorization to sell at farmers' markets are required for anyone who intends to retail these products.

Persons operating under the 20,000 bird limit exemptions require an additional Wholesale Distributor of Meat & Poultry Products license if that person intends to wholesale to stores, restaurants, hotels, and institutions.

Persons operating under the <1,000 bird exemptions require an additional Wholesale Distributor of Meat & Poultry Products license if that person intends to wholesale to "local restaurants" and "local stores" as defined in the Maine Statute.

3. Does Maine have sanitation requirements for processing facilities?

Yes. The 1,000 bird limit and the 20,000 bird limit exemptions have different minimal sanitation requirements, and are subject to periodic review. See the Department of Agriculture, Conservation and Forestry Division of Quality Assurance and Regulations (link below).

4. Do I need to talk to anyone locally other than the Maine Department of Agriculture, Food and Rural Resources?

Not locally, however, those interested in starting their own small-scale poultry processing operation should speak with the Department of Agriculture, Division of Quality Assurance & Regulations first.

5. Where can I sell my poultry?

Exempt operations are prohibited from selling on the internet or across state lines.

For the 1,000 bird limit, the product can only be sold as whole birds, i.e., not cut up or further processed. Sales can be made to customers who come to the farm, community supported agriculture customers, farmers' market customers or sales to "local stores" and "local restaurants". Poultry cannot be sold to retail stores, and restaurants that do not fit the Maine Statute definition of "local", nor can product be sold to schools and institutions.

For the 20,000 bird limit exemptions, in addition to customers listed above, product can be sold wholesale to restaurants, stores, hotels, and institutions.

Useful Links

Maine Department of Agriculture, Conservation and Forestry Division of Quality Assurance & Regulations: <http://www.maine.gov/agriculture/qar/index.html>

Laws

Maine Revised Statute Title 22, Chapter 562-A: Preparation of Livestock and Poultry Products for Human Consumption: <http://legislature.maine.gov/statutes/22/title22sec2517-C.html>

Contact

Maine Department of Agriculture
Division of Quality Assurance and Regulations
28 State House Station
Augusta, Maine 04333-0028
Phone: (207) 287-3841

Henrietta Beaufait, DVM
State Veterinarian Maine Department of Agriculture
Maine Meat and Poultry Inspection
henrietta.beaufait@maine.gov

MARYLAND

Maryland does not have a state poultry inspection program.

Summary

1. Does Maryland accept the federal exemptions for poultry processing?

No. The Maryland Department of Health and Mental Hygiene does not consider poultry slaughtered and processed without inspection as being from an approved source and, until recently, this meant that exempt operations could only sell directly to consumers on the farm. However, the Maryland Department of Agriculture (MDA) is now offering poultry producers who qualify for a federal poultry exemption the opportunity to participate in a voluntary program that would allow them to sell from locations other than directly on the farm. In the program, producers attend a training session on food safety, produce a written food safety plan that meets MDA's requirements, and are inspected by MDA for compliance with their food safety plan. There is a program fee.

2. Does Maryland require licensing to process poultry?

No. However, producers obtain a certification when they go through the MDA voluntary training program.

3. Does Maryland have sanitation requirements for processing facilities?

Yes. Maryland follows the USDA sanitation requirements (9 CFR 416), and the Maryland Department of Health and Mental Hygiene has additional requirements for approval.

4. Do I need to talk to anyone locally other than the Maryland Department of Agriculture?

No.

5. Where can I sell my poultry?

Other than sales to consumers directly from on the farm, sales of poultry by growers/producers off the farm may only come from an approved source as required by the Maryland Department of Health and Mental Hygiene. Poultry producers should contact MDA to discuss their options. Producers certified by MDA as described above can sell anywhere in the state, including restaurants, retailers, and farmer's markets. Both parts and whole poultry and rabbits certified by this program are allowed to be sold. Meat cannot be ground.

Useful Links

Maryland Department of Agriculture Rabbit and Poultry On-Farm Slaughter/Processing Program:
http://mda.maryland.gov/foodfeedquality/Pages/poultry_rabbit_program.aspx

Laws

Maryland Annotated Code Index: <http://lib.guides.umd.edu/content.php?pid=131120&sid=1126003>

For information on Poultry Products regulations, see the Agriculture article, Title 4. *Regulation of Livestock, Poultry Products, and Eggs*, Subtitle 1 *Wholesome Meat Act* and Subtitle 2 *Poultry Products Inspection Act*.

Contact

Maryland Department of Agriculture
50 Harry S. Truman Parkway
Annapolis, MD 21401
Phone: (410) 841-5769

MASSACHUSETTS

Massachusetts does not have a state poultry inspection program.

Summary

1. Does Massachusetts accept the federal exemptions for poultry processing?

Yes. The state Department of Public Health (MDPH) is in charge of poultry inspection and may exempt operations from continuous inspection at their discretion. Requirements are changing as of spring 2011 to accommodate mobile poultry processing units (MPPUs).

2. Does Massachusetts require licensing to process poultry?

Yes, a license from MDPH is required.

3. Does Massachusetts have sanitation requirements for processing facilities?

Yes. Massachusetts follows the USDA sanitation requirements (9 CFR 416), and the Department of Public Health has additional requirements for approval.

4. Do I need to talk to anyone locally other than the Massachusetts Department of Public Health?

Your local board of health, if you are using a mobile processing unit.

5. Where can I sell my poultry?

State law exempts – from continuous inspection, not premises/facility inspection – poultry producers who raise poultry on their own farms and sell dressed poultry or poultry products directly to household consumers or restaurants, hotels and boarding houses. Exempt producers must not buy or sell poultry products other than those produced from their own farms, and they may not produce more than 5,000 turkeys or their equivalent (20,000) poultry of all species in a calendar year. Check with MDPH for any new requirements.

Useful Links

New England Small Farm Institute:

http://www.smallfarm.org/main/special_projects/mobile_poultry_processing_unit/

The Use of Mobile Poultry Processing Equipment under USDA Exemptions as Outlined in the Poultry Products Inspection Act:

<http://www.mass.gov/eohhs/docs/dph/environmental/foodsafety/processing/mobile-poultry-proc-equip.pdf>

Laws

MA Poultry Program: <http://www.mass.gov/eea/agencies/agr/animal-health/poultry/>

Contact

Massachusetts Department of Public Health

Bureau of Environmental Health

305 South Street

Jamaica Plain, MA 02130-3597

Phone: (617) 983-6700

<http://www.mass.gov/?pageID=eohhs2homepage&L=1&L0=Home&sid=Eeohhs2>

MICHIGAN (Draft^{*})

Michigan does not have a state poultry inspection program.

Summary

1. Does the state accept the federal exemptions for poultry processing?

Yes.

2. Does the state require a license to process poultry?

Yes, even federally inspected processors need a food handler's license to distribute or sell processed poultry for retail or wholesale. If the poultry is brought in by a consumer and slaughtered and processed for that consumer as a service, then the license is not needed.

3. Does the state have building/sanitation requirements for processing facilities?

Yes. The license for food handling includes these requirements.

4. If I want to process poultry under an exemption, do I need to talk to anyone other than the Michigan Department of Agriculture?

No.

5. Where can I sell my poultry?

With the food handler license, you can sell exempt poultry both wholesale and retail, but the license will require specific labeling language.

Contact

Michigan Department of Agriculture and Rural Development
Food and Dairy Division
525 W. Allegan Street
Lansing, MI 48933

(or P.O. Box 30017, Lansing, MI 48909)

Phone: 1-800-292-3939

Email: MDA-FoodDairyInfo@michigan.gov

Website: www.michigan.gov/mdard

Meat Processing link: www.michigan.gov/meatprocessing

* We collected this information from Michigan statutes and regulations available online and sent it to state regulators for review but never received a response.

MINNESOTA

Minnesota has a state poultry inspection program, administered by the Minnesota Department of Agriculture.

Minnesota follows the federal regulations (including the labeling requirements) with the following exceptions:

- Producers may process and sell poultry products on the farm where the birds were raised without inspection up to the numerical limits specified in the federal regulations, as long as the products are sold on the premises and sold to the ultimate consumer. (In Minnesota the ultimate consumer is defined as the person who eats the poultry products. Therefore, direct on-farm sales to hotels, restaurants and institutions [HRI] are not allowed. This is a difference from the federal regulations [which do allow HRI sales].)
- Persons selling the products of the farm or garden occupied and cultivated by them, are exempt from state licensing.

The following useful explanation is from Minnesota Institute for Sustainable Agriculture Farmer Guide (<http://www.misa.umn.edu/FarmFoodResources/LocalFood/MeatPoultrySales/FarmerGuide/>):

“Poultry farmers can process and sell up to 1,000 birds per year without a license. The processing must be done on the farm and under sanitary conditions. The birds must be sold directly to customers from the farm premises. The Minnesota Department of Agriculture requires that operators desiring to sell under this exemption be registered. There is no fee and no inspection will be conducted unless a complaint is received.”

MISA also recommends calling the Department of Agriculture.

Contact

Minnesota Department of Agriculture
625 North Robert Street
St. Paul, MN 55155

Phone: (651) 201-6027

Fax: (651) 201-6116

www.mda.state.mn.us

mda.info@state.mn.us

MISSISSIPPI

Mississippi has a state poultry inspection program, administered by the Regulatory Office of the Department of Agriculture and Commerce.

Summary

- 1. Does Mississippi accept the federal exemptions for poultry processing?**
Yes. Mississippi follows the federal exemption guidelines.
- 2. Does Mississippi require licensing to process poultry?**
No license is required for exempt operations.
- 3. Does Mississippi have sanitation requirements for processing facilities?**
Yes. Mississippi follows federal sanitation standards.
- 4. Do I need to talk to anyone locally other than the State Department of Agriculture?**
Processors wanting to sell at farmers' markets, retail stores, and institutions must get a permit from the county Health Department. Generally, permits are not given to uninspected sources.
- 5. Where can I sell my poultry?**
Poultry processed under an exemption can be sold to consumers and households. All other sales require a county health permit.

Useful Links

Board of Animal Health: <http://www.mbah.state.ms.us/>

Board of Animal Health rules: http://www.mbah.state.ms.us/regulations/regulations_html/rules.htm

Contact

Mississippi Department of Agriculture & Commerce
Meat Inspection Division
P.O. Box 1609
Jackson, MS 39215

Phone: (601) 359-1100

MISSOURI

Missouri has adopted the federal exemptions under the PPIA. Any facility intending to raise and process more than 1,000 birds per calendar year is required to register with the Missouri Department of Agriculture, which will visit to check compliance with requirements.

Summary

1. Does Missouri accept the federal exemptions for poultry processing?

Yes. The Missouri Department of Agriculture has adopted the federal exemptions.

2. Does Missouri require licensing to process poultry?

No. Missouri does not require an official license, but if you exceed 1,000 birds per calendar year you need to have your facility examined and registered with the Missouri Department of Agriculture.

3. Does Missouri have sanitation requirements for processing facilities?

Yes. Missouri follows the USDA sanitation requirements (9 CFR 416).

4. Do I need to talk to anyone locally other than the Missouri Department of Agriculture?

Yes. Although producers are allowed to sell direct to consumers and to hotel, restaurant, and institutional customers according to Missouri rules, some areas require that all poultry sold in the market be inspected. Anyone who wishes to sell their poultry should contact the local health department and county officials for that area.

5. Where can I sell my poultry?

Where poultry can be sold depends on the local county regulations. Contact your local officials for details and to attain approval.

Useful Links

Missouri Department of Agriculture Meat and Poultry Inspection Program:

<http://mda.mo.gov/animals/health/inspections/>

Animal Health Division Staff Directory: <http://mda.mo.gov/animals/health/staff.php>

Laws

Federal Poultry Products Inspection Act (PPIA):

<http://www.fsis.usda.gov/wps/portal/fsis/topics/rulemaking/poultry-products-inspection-acts/PPIA>

Contact

Missouri Meat Inspection Program, Division of Animal Health

Missouri Department of Agriculture

P.O. Box 630

Jefferson City, MO 65102-0630

Phone: (573) 522-1242

Director: Harold Treese

(573) 522-8429

Missouri Department of Health & Senior Services
P.O. Box 570
Jefferson City, MO 65102
Phone: (573) 751-6090

MONTANA

Montana has a state poultry inspection program, administered by the Montana Department of Livestock Meat & Poultry Inspection Division. Processors are also regulated by the Montana Department of Public Health & Human Services-Food & Consumer Safety Section (DPHHS), and county sanitarians.

Summary

1. Does Montana accept the federal exemptions for poultry processing?

Yes. Montana accepts all the federal exemptions. However, only poultry produced by operations that fall under the Producer/Grower 20,000 Limit Exemption is considered by the DPHHS as an approved source for sale and distribution.

2. Does Montana require licensing to process poultry?

Yes. Montana requires a license for anyone who is slaughtering and processing poultry products, even those that fall under the federal exemptions. Those falling under the Producer/Grower 20,000 Limit Exemption must be licensed by the Department of Livestock as a poultry exempt operator. Such operations must also obtain a retail meat market license from DPHHS ensuring they meet local sanitary approval.

3. Does Montana have sanitation requirements for processing facilities?

Yes. Montana follows the USDA sanitation requirements (9 CFR 416).

4. Do I need to talk to anyone locally other than the Montana Department of Livestock Meat & Poultry Inspection Bureau?

Yes. Contact your local city health department and county sanitarian first to determine what the local regulations are for processing facilities.

5. Where can I sell my poultry?

With valid licensing and approval from the Department of Livestock and DPHHS, as well as proper labeling, poultry processors operating under the 20,000 limit exemption are allowed to sell and distribute to anyone within the state of Montana. This includes H.R.I. (Hotel, Restaurant, Institution), distributors, and retail. All other exemptions in Montana are not considered as an approved source and may only process poultry for their own consumption.

Useful Links

Meat & Poultry Processing in Montana, Guidelines for Opening a Business:

<http://liv.mt.gov/content/mi/Guidelines>

For information on developing a federally inspected establishment, contact the USDA-FSIS Minneapolis District office at (612) 659-7056 or visit their website at <http://www.fsis.usda.gov/>

Laws

Montana Code Annotated 81-9-201 through 81-9-241, Slaughterhouses, Meat and Poultry Inspection:

http://leg.mt.gov/bills/mca_toc/81_9_2.htm

Administrative Rules of Montana for Meat and Poultry Slaughterhouses, Meatpacking Houses and Meat Depots (32.6.701 through 32.6.904): <http://liv.mt.gov/mi/default.mcp>

Contact

Department of Livestock
Meat and Poultry Inspection Division
PO Box 202001
Helena, Montana 59620-2001

Phone: (406) 444-5202

Fax: (406) 444-1929

NEBRASKA

Nebraska does not have a state poultry inspection program.

Summary

1. Does Nebraska accept the federal exemptions for poultry processing?

Yes. However, to be sold, poultry must be processed at an approved source, which means a state-licensed facility (or USDA-inspected facility).

2. Does the state require a license to process poultry?

Yes. Processors operating under an exemption must have a license from the Nebraska Department of Agriculture's Food Safety and Consumer Protection Focus Area. In addition, to sell at a farmers market, a producer needs an itinerant vendor license, also from the Department. Other than that, no license is required to sell poultry from the farm or to others specified in the exemption.

3. Does the state have building/sanitation requirements for processing facilities?

Yes. See Nebraska's "Food Processing Plant Requirements." Processors must also follow the food safety and sanitation requirements of the Nebraska Food Code, such as temperature requirements, surfaces, etc.

4. Do I need to talk to anyone locally other than NDA's Food Safety and Consumer Protection Focus Area?

There may be additional requirements from Revenue and Zoning agencies in some areas.

5. Where can I sell my poultry?

If processed at a state-licensed facility, exempt poultry can be sold within the state: direct to individuals, at a farmers market, to retailers, to hotels/restaurants/institutions, and to distributors.

Useful Links

Food Safety at Farmers Markets:

<http://www.nda.nebraska.gov/publications/foods/market.html>

Department website: <http://www.nda.nebraska.gov/>

Laws

Nebraska Food Code: http://www.nda.nebraska.gov/regulations/foods/09_food_code.pdf

Food Processing Plant Requirements:

<https://food.unl.edu/documents/4152814/7571452/actaw.pdf/00540fed-310c-4bb0-b3eb-da95b62a3b3f>

Contact

Nebraska Department of Agriculture

Food Safety & Consumer Protection

Melva Ball, Program Manager

Phone 402-471-3422

Melva.Ball@nebraska.gov

NEVADA

Nevada does not have a state poultry inspection program.

Summary

1. Does Nevada accept the federal exemptions for poultry processing?

Probably not. Poultry cannot be sold unless processed as an approved source. To be an approved source, a processor must have a permit from the state Department of Health and Human Services – Environmental Health Services, which inspects for compliance with sanitation requirements. No one in Nevada has (in recent memory) requested a state permit to process poultry under one of the federal exemptions (e.g. the 20,000 producer-grower exemption) and then sell it as the federal PPIA allows. PHCS would have to assess such a request on an individual basis. Anyone wishing to pursue this should call PHCS first.

2. Does the state require a license to process poultry?

Yes. A permit from DHHS is required.

3. Does the state have building/sanitation requirements for processing facilities?

Yes.

4. Do I need to talk to anyone locally?

No, just DHHS.

5. Where can I sell my poultry?

As noted above, exempt poultry likely cannot be sold in the state of Nevada, even if it comes from an approved DHHS-permitted source. (Note: even federally inspected meat and poultry cannot be sold at farmers markets, which are only for products “of the soil.”)

Laws

Nevada Revised Statutes, Chapter 583: Meat, Fish, Produce, Poultry, and Eggs:

<http://www.leg.state.nv.us/nrs/NRS-583.html>

Nevada Administrative Code

NAC 446.085 Meat, game animals, fish and poultry: All meat, products made from meat, game animals, products made from game animals, fish, products made from fish, poultry and products made from poultry must be from a source approved by the health authority.

<http://www.leg.state.nv.us/nac/NAC-446.html> (scroll down to 446.085)

Contact

Nevada State Health Division
Environmental Health Services
4150 Technology Way, Suite 100
Carson City, NV 89706

Phone: (775) 687-7533

Other office locations available here: http://health.nv.gov/FaR_Locations.htm

NEW HAMPSHIRE

New Hampshire does not have a state poultry inspection program.

Summary

1. Does New Hampshire accept the federal exemptions for poultry processing?

Yes. New Hampshire accepts the USDA federal standards and regulations for processors raising their own poultry and slaughtering/processing them on their own farm for their own consumption. Anyone wishing to sell their poultry at a Department of Health and Human Services (DHHS) licensed retail food store or food service establishment must be USDA inspected. Operations that qualify for a federal exemption may sell directly to the consumer from the farm or from a farmer's market, but DHHS does not provide a food license or inspect this activity.

2. Does New Hampshire require licensing to process poultry?

Yes, except for the direct sales mentioned above. Those that wish to sell their poultry must obtain a license from the NH Department of Health and Human Service, which is only granted to those operations who offer USDA inspected poultry.

3. Does New Hampshire have sanitation requirements for processing facilities?

Yes. New Hampshire follows the USDA sanitation requirements (9 CFR 416).

4. Do I need to talk to anyone locally other than the NH Department of Agriculture, Markets and Food?

Yes. Anyone interested in selling their poultry should contact the NH Department of Health and Human Service Food Protection Section to ensure they meet all safety and sanitation requirements.

5. Where can I sell my poultry?

The NH Department of Health and Human Service Food Protection Section does not accept poultry from those operations under the federal exemptions as coming from an "approved source" at DHHS licensed retail food stores and food service establishments. In order for poultry to be offered at food service establishments and retail stores licensed by the Food Protection Section, it must be USDA inspected.

Useful Links

New Hampshire Department of Health and Human Services: <http://www.dhhs.state.nh.us/oos/aru/>

Laws

New Hampshire Department of Agriculture, Markets & Food Laws and Rules:
<http://www.agriculture.nh.gov/laws-rules/index.htm>

Contact

New Hampshire Department of Agriculture, Markets and Food
PO Box 2042
Concord NH 03302 -2042

Phone: (603) 271-3551

Fax: (603) 271-1109

Food Protection
Division of Public Health Services
NH Department of Health & Human Services
29 Hazen Drive
Concord, NH 03301-4604

<http://www.dhhs.state.nh.us/dphs/fp/contact.htm>

Phone: (603) 271-4589
Toll free: (800) 852-3345 ext. 4589
Fax: (603) 271-4859

NEW JERSEY

New Jersey does not have a state poultry inspection program. The New Jersey Department of Agriculture assists poultry grower/producers by providing relevant legislative information and resources to aid growers in the raising and care of poultry.

Summary

1. Does New Jersey accept the federal exemptions for poultry processing?

Yes.

2. Does New Jersey require licensing to process poultry?

No.

3. Does New Jersey have sanitation requirements for processing facilities?

Yes. All processing facilities must be checked by the state or local health department to ensure they are following all safety and sanitation requirements.

4. Do I need to talk to anyone locally other than the New Jersey Department of Agriculture?

Yes. If interested in growing and processing poultry, first check with the local municipality to determine if a zoning permit or license is required for your area. Then contact the local health department to determine if they require additional inspection, registration, or certification demonstrating that the operation has met all sanitation requirements. Those interested in attaining information regarding mobile slaughter units should contact the New Jersey Department of Agriculture.

5. Where can I sell my poultry?

There are no restrictions for where poultry can be sold within the state other than those specified in the USDA exemptions. Poultry must be sold frozen.

Useful Links

A Practical Guide to Selling Safely at Farmers Markets:

http://www.state.nj.us/health/foodanddrugsafety/documents/ch24_farmers_market_guidelines.pdf

Minimum Food Safety Requirements for Product Sales Farm Markets and Community Farmers' Markets:

<http://www.nj.gov/agriculture/divisions/md/pdf/farmmarketguidelines.pdf>

Laws

State of New Jersey Department of Agriculture Rule Proposals: <http://www.state.nj.us/agriculture/rule/>

Search for New Jersey Administrative Code and register: www.lexisnexis.com/njoal/

Relevant regulations for poultry producers/processors include:

NJAC 2:2-1.1 et seq : Disease control program

NJAC 2:3-1.1 et seq: Livestock and poultry importation NJAC

2:5-1.1 et seq: Quarantines and embargoes on animals NJAC

2:8-1.1 et seq: Humane treatment of domestic livestock NJAC

2:9-1.1 et seq: Avian Influenza

Contact

New Jersey Department of Agriculture

PO Box 330

369 South Warren Street, Health & Agriculture Building

Trenton, NJ 08625

Phone: (609) 292-3965

NEW MEXICO (Draft[†])

New Mexico does not have a state poultry inspection program. The state Department of Health and Environment licenses processing facilities. No exemption from inspection is allowed for poultry slaughtered on the farm in New Mexico.

Summary

1. Does New Mexico accept the federal exemptions for poultry processing?

Yes. All poultry production in New Mexico is regulated by the USDA and follows the federal exemption guidelines.

2. Does New Mexico require licensing to process poultry?

Yes.

3. Does New Mexico have sanitation requirements for processing facilities?

New Mexico follows federal sanitation regulations.

4. Do I need to talk to anyone locally other than the Department of Health and Environment?

No, all inspection is handled by USDA/FSIS.

5. Where can I sell my poultry?

Federally-inspected poultry can be sold anywhere. Exempt poultry can be sold direct to individuals but not to retail or wholesale markets.

Contact

New Mexico Department of Agriculture
3190 S. Espina
Las Cruces, NM 88003
Phone: (575) 646-3007

<http://www.nmda.nmsu.edu>

[†] We collected this information from New Mexico statutes and regulations available online and sent it to state regulators for review but never received a response.

NEW YORK

New York has a state poultry inspection program, administered by the New York Department of Agriculture and Markets, Division of Food Safety and Inspection. The small farm exemption applies for operations up to 1,000 birds.

Summary

1. Does New York accept the federal exemptions for poultry processing?

Yes. The state regulations closely mirror the USDA federal regulations, with some minor changes. See Circular 925 for details relating to the licensing of slaughterhouses in the state of New York (see link below).

2. Does New York require licensing to process poultry?

Yes. Licensing by the Commissioner of Agriculture is required for anyone who operates a place or establishment where fowls are slaughtered or butchered for food and who have not been granted inspection pursuant to the Federal Poultry Products Act or fall under the 1,000 limit exemption.

3. Does New York have sanitation requirements for processing facilities?

Yes. Sanitation requirements depend on the type of processing facility and the equipment used there. Contact the Department of Agriculture and Markets, Division of Food Safety Inspection main office for specific information (see contact information below).

4. Do I need to talk to anyone locally other than the Department of Agriculture and Markets, Division of Food Safety and Inspection?

Yes. If interested in setting up your own poultry processing operation, first contact the main office to receive a packet of information outlining step-by-step instructions to follow and information on the regional office you will need to contact. Due to restrictions on construction of such facilities near residential housing in cities with populations of one million or more, New York requires that processing operations gain zoning approval by the city or a location that is outside of a fifteen hundred foot radius of a residential dwelling. Once the location is zoned for slaughterhouse operation and if there is an existing building, a Certificate of Occupancy is required stating the building's use is for a slaughterhouse. Blue prints for the operation/facility must be submitted to the Department of Agriculture and Markets regional office for approval before construction or alterations of an existing building begins.

5. Where can I sell my poultry?

Where your poultry can be sold depends on the exemption your operation falls under. Those under the 1,000 limit may only sell at farmer's markets, road stands, or to any other customer directly, under which such poultry must stay in the owner's possession until the point of sale. For the other exemptions, limits on where poultry can be sold vary. See the Table of Exemptions and Limitations (see below) for more details and contact the Department of Agriculture and Markets for the most accurate information.

Useful Links

Available Circulars (NYS Food Safety Rules and Regulations):

<http://www.agmkt.state.ny.us/FS/industry/circs.html>

Resource Guide to Direct Marketing Meat and Poultry:

<http://www.smallfarms.cornell.edu/pages/projects/workteams/LP/livestock.cfm>

On-Farm Poultry Slaughter Guidelines:

<http://nebeginningfarmers.org/publications/on-farm-poultry-slaughter-guidelines/>

This 28-page guide from Cornell University (2012) contains sections on the 1000-bird limit exemption, where you can legally sell your birds under this exemption, labeling requirements, sanitary operating procedures and more. It includes several appendices, such as a sample flock record log and a questionnaire that your insurance company may use to assess your knowledge of safe poultry processing practices.

Laws

Article 5-A of the Agriculture and Markets Law, Relating to Licensing of Slaughterhouses:

<http://public.leginfo.state.ny.us/LAWSSEAF.cgi?QUERYTYPE=LAWS+&QUERYDATA=@SLAGM0A5-A+&LIST=LAW+&BROWSER=EXPLORER+&TOKEN=39906319+&TARGET=VIEW>

Contact

New York State Department of Agriculture and Markets
Division of Food Safety and Inspection

Regional Offices: <http://www.agriculture.ny.gov/FS/general/contactinfo.html>

NORTH CAROLINA

North Carolina has a state poultry inspection program, authorized by the North Carolina Poultry Products Inspection Act.

Summary

1. Does North Carolina accept the federal exemptions for poultry processing?

Yes. The North Carolina Department of Agriculture and Consumer Services (NCDA&CS) accepts the Producer/Grower 1,000 Limit and 20,000 Limit Exemptions. A slaughterer or processor of poultry may not simultaneously operate under more than one exemption during a calendar year.

2. Does North Carolina require licensing to process poultry?

No. There are no registration or certification requirements for producers that fall under the exemptions. However, the NCDA&CS maintains a database that identifies such producers as poultry exempt producers.

3. Does North Carolina have sanitation requirements for processing facilities?

Yes. Within NC legislation (§ 106-549.62), poultry exempt producers that slaughter up to 1,000 or 20,000 birds do not need a *facility*. Rather, the *location* at which poultry slaughter and processing takes place must meet proper sanitation requirements, ensuring that the product is produced in a clean and sanitary manner. NC state inspection and compliance staff follow the USDA sanitation requirements (9 CFR 416).

4. Do I need to talk to anyone locally other than the NCDA&CS?

No. Contact NCDA&CS staff to schedule an appointment for review of the most current legislation and to determine if your operation follows current sanitation requirements.

5. Where can I sell my poultry?

Producers under the 1,000 limit and the 20,000 limit can sell to any customer, H.R.I. (Hotel, Restaurant, and Institutions), distributor, and retail, within the state. However, producers under these exemptions may not sell across state lines.

Useful Links

NC Department of Agriculture and Consumer Services, Meat and Poultry Inspection Division:
<http://www.ncagr.gov/meatpoultry/index.htm>

Instructions, Requirements, and Resources for State Meat Handlers:
<http://www.ncagr.gov/MeatPoultry/meathandlers.htm>

“Poultry Exemptions under the Federal Poultry Products Inspection Act and the NC Poultry Products Inspection Law”

by Donald Delozier, State Director, NC Meat and Poultry Inspection Division, Dec. 7, 2010:
http://www.extension.org/mediawiki/files/b/bd/Poultry_Exemptions_Donald_Delozier_7Dec_2010.pdf

Laws

Laws, Regulations and Information packets: <http://www.ncagr.gov/MeatPoultry/packets.htm>

North Carolina Poultry Products Inspection Act, Chapter 106 – Article 49D (§ 106-549.62):
http://www.ncga.state.nc.us/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_106/Article_49D.html

Contact

North Carolina Department of Agriculture & Consumer Services

Meat and Poultry Inspection Division

1001 Mail Service Center

Raleigh, NC 27699-1001

Phone: (919) 707-3180

Fax: (919) 715-0246

<http://www.ncagr.gov/meatpoultry>

Meat and Poultry Inspection Division Director: W. Alan Wade

NORTH DAKOTA

North Dakota has a state poultry inspection program, administered by the state Department of Agriculture. The federal exemptions allowed under the PPIA are allowed in North Dakota for sales made directly from the producer to the end consumer.

Summary

1. Does North Dakota accept the federal exemptions for poultry processing?

Yes. An exempt poultry operation can only claim one exemption and may not conduct activities allowed under different exemptions at the same time within a calendar year.

2. Does North Dakota require licensing to process poultry?

No. Processors must register annually with the ND Department of Agriculture.

3. Does North Dakota have sanitation requirements for processing facilities?

Yes. North Dakota follows the USDA sanitation requirements (9 CFR 416).

4. Do I need to talk to anyone locally other than the Department of Agriculture?

Yes. If operating as a Custom Exempt establishment, contact the North Dakota Department of Agriculture Meat and Poultry Inspection Program (NDMPIP). NDMPIP inspects plants on a regular basis. If operating as a Retail Exempt establishment, contact the North Dakota Department of Health (NDDH) for inspection and to ensure you are meeting their regulations for producing food (see contacts below).

5. Where can I sell my poultry?

In North Dakota, all meat products must be inspected under state and/or federal law to be sold for human food. Exempt poultry may not be wholesaled or sold at retail. Products from a custom exempt establishment may only be consumed by the owner, the owner's immediate family and non-paying guests. Check with the ND Department of Agriculture to see what exemption your operation falls under.

Useful Links

Meat Processing in North Dakota Brochure, Guidelines for Opening a Business:

<http://www.agdepartment.com/Programs/Livestock/meatinspectionbrochure2.pdf>

North Dakota Department of Agriculture State Meat and Poultry Inspection Program:

<http://www.agdepartment.com/Programs/Livestock/Meat%20Inspection.html>

Laws

North Dakota Century Code 36-24 (Meat Inspection): <http://www.legis.nd.gov/cencode/T36C24.pdf>

North Dakota Administrative Code 7-13 (Meat Inspection):

<http://www.legis.nd.gov/information/acdata/html/7-13.html>

Contact

North Dakota Department of Agriculture
600 E Boulevard Ave., Dept 602
Bismarck, ND 58505-0020

Phone: 1-800-242-7535 or (701) 328-2231

Fax: (701)328-4567

<http://www.nd.gov/ndda/>

Email: ndda@nd.gov

Andrea L Grondahl, Director

Phone: (701) 328-4762, agrondah@nd.gov

NDDH Food and Lodging Division: 1-800-472-2927, <http://www.ndhealth.gov/FoodLodging/>

OHIO

Ohio has a state poultry inspection program, administered by the Ohio Department of Agriculture's Division of Meat Inspection (ODA DMI).

Summary

1. Does Ohio accept the federal exemptions for poultry processing?

Yes, but not all of them. The following are exempt from inspection:

- a) An operator that raises (from eggs or chicks), slaughters, and processes less than 1,000 birds per calendar year, to sell to household consumers from the farm (where the processing took place) or through an HRI account (hotel, restaurant institution). NOTE: the hotels, restaurants and institutions may be governed by a local authority that prevents them from buying exempt poultry.
- b) An operator who raises, slaughters and processes up to 20,000 birds on his/her own premises, to sell directly from the farm to household consumers, through HRI accounts, or at a farmers market;
- c) An operator that slaughters and processes birds owned by another individual, for that individual's personal use (not for sale).

Ohio does not recognize the Producer/Grower/Other Person or Small Enterprise exemptions.

2. Does Ohio require licensing to process poultry?

Operators of (a) do not need a license. Operators of (b) and (c) need to be licensed by ODA DMI as custom exempt operators.

3. Does Ohio have sanitation requirements for processing facilities?

Licensed facilities are required to develop a written sanitation program.

4. Do I need to talk to anyone locally other than the Ohio Department of Agriculture?

No.

5. Where can I sell my poultry?

It depends on the exemption. See above.

Useful Links

Ohio Department of Agriculture Meat Inspection Division:

<http://www.agri.ohio.gov/divs/meat/meat-index.aspx>

Laws

Ohio Laws and Rules 901:2 Meat Inspection: <http://codes.ohio.gov/oac/901%3A2>

Contact

Ohio Department of Agriculture
Division of Meat Inspection
8995 East Main Street
Reynoldsburg, OH 43068-3399
Phone: (614) 728-6201

OKLAHOMA

Oklahoma has a state poultry inspection program, administered by the Board of Agriculture, and authorized by the Oklahoma Poultry Products Inspection Act. The Act has specific requirements for inspection of poultry production operations, as well as conditions for exemption.

Summary

1. Does Oklahoma accept the federal exemptions for poultry processing?

No. However, the Oklahoma Poultry Products Inspection Act does exempt from inspection producers who slaughter up to 250 turkeys or 1000 birds of other species (no ratites), of their own raising, per calendar year, for direct sales only to in-state household consumers (see link below for additional requirements).

2. Does Oklahoma require licensing to process poultry?

No. If under the Oklahoma Poultry Products Inspection Act, poultry processors need to submit a certificate of registration to the Board.

3. Does Oklahoma have sanitation requirements for processing facilities?

Yes. Every establishment where poultry are custom slaughtered, or where an individual is engaged in custom processing, must submit an application for approval by the Director of Meat Inspection prior to conducting operations.

4. Do I need to talk to anyone locally other than the Department of Agriculture, Food, and Forestry?

Yes. The Oklahoma Department of Agriculture, Food, and Forestry recommends you contact the Robert M. Kerr Food and Agricultural Products Center at Oklahoma State University.

5. Where can I sell my poultry?

Those processing under the state exemption may only sell directly to household consumers. They may not sell or donate uninspected poultry products to retail stores, brokers, meat markets, schools, orphanages, restaurants, nursing homes, and other similar establishments or through their own retail market or similar establishment.

Useful Links

Robert M. Kerr Food and Agricultural Products Center at Oklahoma State University:
<http://www.fapc.okstate.edu>

Oklahoma Department of Agriculture, Food, and Forestry: <http://www.oda.state.ok.us>

Laws

Oklahoma Poultry Products Inspection Act (Title 2 Oklahoma Statutes § 6-251 et. seq; exemptions at § 6-265): <http://www.oscn.net/applications/oscn/Index.asp?ftbd+STOKST02&level=1>

For Section 35:37-5-2 *Deleted Regulations and Exemptions* effective as of 12-1-10, visit the Oklahoma Secretary of State website at <http://www.sos.ok.gov/oar/online/viewCode.aspx> and navigate to the following location:

Title 35 – Oklahoma Department of Agriculture, Food, and Forestry Chapter 37 – Food Safety
Subchapter 5 – Poultry Products Inspection Part 1 – General Provisions
Section 35:37-5-2 – Deleted regulations and exemptions

Contact

Oklahoma Department of Agriculture, Food, and Forestry Food Safety Division

2800 N. Lincoln Boulevard

P.O. Box 528804

Oklahoma City, OK 73152

Phone: (405) 521-3864

Fax: (405) 522-4912

OREGON

Oregon does not have a state poultry inspection program. In 2011, the Oregon legislature passed a new law creating a 1,000 bird exemption for on-farm slaughter in open air conditions, for direct sales to household consumers who purchase at the farm. See below for more info.

Summary

1. Does Oregon accept the federal exemptions for poultry processing?

Yes. However, Oregon requires that to be sold, poultry must be processed at a state-licensed, state-approved facility, *unless* the farmer meets the conditions of HB2872, the 1000 bird exemption, primarily that they raise the poultry themselves, process it on farm, and sell it direct to household consumers in Oregon who come to the farm to purchase the poultry. See links below for complete rules.

2. Does Oregon require licensing to process poultry?

Yes. Licenses are issued by the Oregon Department of Agriculture to processing facilities that meet state sanitation and building requirements.

3. Does Oregon have sanitation requirements for processing facilities?

Yes. Contact ODA for a guide to sanitation and building requirements for poultry and rabbit processing facilities.

4. Do I need to talk to anyone locally other than the Department of Agriculture?

If you plan to build a processing facility, check with your local planning and zoning agency about any restrictions and siting requirements.

5. Where can I sell my poultry?

Oregon follows USDA's rules about where exempt poultry can be sold, as long as the poultry is processed at a state-licensed, state-approved facility.

Useful Links

State license requirements to process and/or sell meat and poultry products:

http://www.oregon.gov/ODA/FSD/program_food.shtml#Meat

Oregon Department of Agriculture FAQ about the 1000 Bird Exemption:

http://oregon.gov/ODA/FSD/faq_2872.shtml

(FYI: ODA may change the location of this guide in the future; if the current link does not work, contact the ODA Food Safety Division at (503) 986-4720, and ask for the guide to poultry slaughter.)

OSU Center for Small Farms and Community Food Systems:

<http://smallfarms.oregonstate.edu/poultry>

Laws

Oregon Administrative Rules:

- Division 25, “Food Establishment Standards and Standards for Retail Food Service Activities”:
http://www.sos.state.or.us/archives/rules/OARS_600/OAR_603/603_025.html
- Division 28, “Meat Products and Establishments”:
http://www.sos.state.or.us/archives/rules/OARS_600/OAR_603/603_028.html
- 1000 bird exemption: OAR 603-028-0710 through 603-028-0750.
- Oregon Revised Statutes, Chapter 603, “Meat Dealers and Slaughterers”:
https://www.oregonlegislature.gov/bills_laws/lawsstatutes/2013ors596.html

Contact

Oregon Department of Agriculture Food Safety Division

Attn: Will Fargo

635 Capitol Street NE

Salem, OR 97301-2532

Phone: (503) 986 4720

<http://www.oregon.gov/ODA/FSD/index.shtml>

PENNSYLVANIA

Pennsylvania does not have a state poultry inspection program.

Summary

1. Does Pennsylvania accept the federal exemptions for poultry processing?

Yes. USDA periodically inspects those operating under exemptions.

2. Does Pennsylvania require licensing to process poultry?

No. Licensing is not required, but all poultry processors need to be reviewed by USDA. Frequency of review visits varies depending on operation.

3. Does Pennsylvania have sanitation requirements for processing facilities?

Pennsylvania follows the USDA sanitation requirements (9 CFR 416).

4. Do I need to talk to anyone locally other than the USDA?

Yes. Some areas in the state, especially those that are thickly populated, have local health boards. Check with local officials to see if your county has a local health board and if they have special requirements for processing and selling of poultry in your area. Also, if operating under the 20,000 limit exemption, or interested in retailing poultry and maintaining a place/building on the farm to sell poultry, check with the Pennsylvania Department of Agriculture to register and ensure you are meeting PDA safety and health standards (see link below).

5. Where can I sell my poultry?

Wherever USDA allows you to sell based on your exemption. See FSIS guidance.

Useful Links

Farmer's Guide to Processing and Selling Meat or Poultry:

http://lehigh.extension.psu.edu/Agriculture/Farmers_Guide.pdf

Pennsylvania Department of Agriculture Bureau of Food Safety and Laboratory Services (Search "Retail Food Facility"): www.agriculture.state.pa.us

Contact

Pennsylvania Department of Agriculture
Bureau of Food Safety and Laboratory Services
Central Office
2301 North Cameron Street
Harrisburg, PA 17110
Phone: (717) 787-4737

Penn State Cooperative Extension
Lehigh County
Phone: (610) 391-9840
www.lehigh.extension.psu.edu
LehighExt@psu.edu

RHODE ISLAND

Rhode Island does not have a state poultry inspection program. The Rhode Island Department of Health (HEALTH) has the authority to register and inspect establishments where poultry are slaughtered and eviscerated. HEALTH determines which operations should be inspected by Department of Environmental Management (DEM). DEM inspectors report findings back to HEALTH. HEALTH then decides whether licensing is appropriate or not.

Summary

1. Does Rhode Island accept the federal exemptions for poultry processing?

Yes.

2. Does Rhode Island require licensing to process poultry?

Yes. The HEALTH department requires a meat processor's license for all processing facilities. Anyone engaged in the slaughter and/or eviscerating of poultry for human consumption must register annually, in January, with the Director of HEALTH. All registrations expire every December 31.

3. Does Rhode Island have sanitation requirements for processing facilities?

Yes. To obtain a license from HEALTH, poultry producers/growers must prove they meet adequate sanitation requirements. For mobile slaughter units, a license from HEALTH is required, though HEALTH may delegate inspections to the Department of Environmental Management.

4. Do I need to talk to anyone locally other than the HEALTH department?

Yes. Before approaching HEALTH for a license, growers should obtain a zoning permit from his/her city or town. Growers with questions regarding regulations for the operation of their poultry farm should contact DEM.

5. Where can I sell my poultry?

Wherever USDA allows you to sell based on your exemption. See FSIS guidance. Poultry must be sold frozen.

Useful Links

Office of Food Protection New Establishment Checklist:

http://www.agriculture.state.pa.us/portal/server.pt/gateway/PTARGS_0_2_75292_10297_0_43/AgWebsite/OrganizationDetail.aspx?name=Bureau-of-Food-Safety-and-Laboratory-Services&navid=34&parentnavid=0&orgid=13&

Application and Instructions for Meat and Poultry Retail and Wholesale Processor:

<http://www.health.ri.gov/applications/MeatPoultryProcessor.pdf>

Rhode Island Raised Livestock Association:

<http://www.rirla.org/>

Laws

Title 21 CHAPTER 21-13 Rhode Island General Laws:

<http://www.rilin.state.ri.us/Statutes/TITLE21/21-13/INDEX.HTM>

Contact

Rhode Island Department of Health
Office of Food Protection
3 Capitol Hill
Providence, RI 02908-5097
Phone: 401-222-5960

SOUTH CAROLINA

South Carolina has a state poultry inspection program, under the South Carolina Poultry Products Inspection Act, administered by the South Carolina Livestock-Poultry Health Commission.

Summary

1. Does South Carolina accept the federal exemptions for poultry processing?

Yes.

2. Does South Carolina require licensing to process poultry?

Yes. Those processing poultry for sale under a federal exemption must have a permit from the Livestock-Poultry Health Commission (LPHC). However, a permit is not required if a producer raises poultry on his or her own farm and slaughters no more than 250 turkeys or 1,000 other poultry per calendar year.

3. Does South Carolina have sanitation requirements for processing facilities?

Yes, the South Carolina Meat and Poultry Inspection Department (SCMPID) manages that process. Even for “custom” or otherwise exempt processing operations, a “sanitary place” is required. The South Carolina Health Department may require an “approved source” for processing, which might be an FSIS- or state-inspected facility. “Custom exempt slaughter” facilities require a sound water supply and compliance with up to seven basic sanitation requirements.

4. Do I need to talk to anyone locally?

Processors wanting to sell at farmers’ markets have to get permission from the market operators. Generally permits are not given to uninspected product or product from unapproved sources. The Department of Health and Environmental Control at the county level controls licenses for retail stores.

5. Where can I sell my poultry?

Those wanting to sell poultry under one of the existing exemptions need to contact SCMPID for specifics regarding their processing operation and how the exemptions may apply.

Useful Links

SC Meat and Poultry Inspection Department: <http://www.clemson.edu/public/lph/scmpid>

Law

South Carolina Poultry Products Inspection Act: Code of Laws of South Carolina, Sections 47-19-10 to 47-10-180. 2 S.C. STAT. ANN. Section 47-19-140.

Contacts

South Carolina Meat & Poultry Inspection Division
P.O. Box 102406
Columbia, SC 29224-2406

Phone: (803) 788-8747

Fax: (803) 788-8114

Clyde Hoskins, choskin@clemson.edu

SOUTH DAKOTA

South Dakota does not have a poultry inspection program.

Summary

- 1. Does South Dakota accept the federal exemptions for poultry processing?**
Yes. Poultry processing in SD is regulated by FSIS and is subject to all of the federal rules, regulations and corresponding exemptions.
- 2. Does South Dakota require licensing to process poultry?**
No. There is no state issued license for poultry processing.
- 3. Does South Dakota have sanitation requirements for processing facilities?**
South Dakota follows USDA sanitation requirements (9 CFR 416).
- 4. Do I need to talk to anyone locally other than the USDA regional office?**
No.
- 5. Where can I sell my poultry?**
Wherever USDA allows you to sell based on your exemption. See FSIS guidance.

Laws

South Dakota Legislature, Meat Inspection:

<http://legis.state.sd.us/rules/DisplayRule.aspx?Rule=12:68:14:01>

Contact

USDA FSIS District Office
Room 985, Federal Building
210 Walnut Street
Des Moines, IA 50309

Phone: (515) 727-8960 or 1-800-990-9834

Fax: (515) 727-8992

24-Hour Emergency: (515) 727-8960

TENNESSEE

Tennessee does not have a state poultry inspection program. However, anyone interested in processing and/or selling food must first obtain approval from and be licensed by the Tennessee Department of Agriculture.

Summary

1. Does Tennessee accept the federal exemptions for poultry processing?

Yes.

2. Does Tennessee require licensing to process poultry?

Yes. All food for sale or distribution in the state must come from a source that is licensed by the Tennessee Department of Agriculture (TDA).

3. Does Tennessee have sanitation requirements for processing facilities?

Yes. TDA enforces Good Manufacturing Practices (GMPs) on facilities they inspect. For those facilities operating under federal exemptions, FSIS ensures producers are meeting requirements (9 CFR 416).

4. Do I need to talk to anyone locally other than the Tennessee Department of Agriculture?

No. Contact TDA about license requirements. Then call the USDA-FSIS Jackson District Office for further guidance.

5. Where can I sell my poultry?

As long as the poultry is produced according to federal exemption requirements, the individual is licensed by the Tennessee Department of Agriculture, and the product is properly labeled, it can be sold commercially within the State of Tennessee per the federal exemption rules. Poultry must be sold frozen.

Useful Links

Tennessee Department of Agriculture Food and Dairy section:

<http://www.tn.gov/agriculture/regulatory/foodanddairy.html>

Laws

Rules of the Tennessee Department of Agriculture:

<http://tennessee.gov/sos/rules/0080/0080-04/0080-04.htm>

Contact

USDA-FSIS

Jackson District Office

713 South Pear Orchard Road, Suite 402

Ridgeland, MS 39157

Phone: (601) 965-4312

Fax: (601) 965-5901

24-Hour Emergency: (601) 965-4312

Tennessee Department of Agriculture
Regulatory Services/Food and Dairy Section
Ellington Agricultural Center
440 Hogan Road
Nashville, TN 37220
Phone: (615) 837-5103

Center for Profitable Agriculture, a University of Tennessee - Farm Bureau Partnership:
<http://cpa.utk.edu/>. Contact Hal Pepper at (931) 486 -2777 or wpepper@utk.edu

TEXAS (Draft[‡])

Texas has a state poultry inspection program.

The Texas Meat and Poultry Inspection Act was revised in 2001 to accept the federal inspection exemptions and labeling requirements, and to specifically exempt those small-scale processors from state inspection requirements. The new law does have the following requirements which apply to small-scale processors:

- A low-volume livestock processing establishment that is exempt from federal inspection shall register with the Texas Department of Health (TDH) in accordance with rules adopted by the TDH commissioner;
- A low-volume livestock processing establishment that is exempt from federal inspection shall develop a Sanitary Operations Procedures Plan. The intent of the TDH is that the plan be simple, on file at the exempt processor's site and available for review if there are any problems (e.g. contaminated meat traced back to an exempt processor);
- If contaminated livestock products can be reasonably traced to a low-volume livestock processing establishment that is exempt from federal inspection, the commissioner may request the attorney general of the district or county attorney in the jurisdiction where the facility is located to institute a civil suit to close the establishment until the commissioner determines that the establishment has been sanitized and is operating safely. (This is the Emergency Shutdown provision required by the TDH.)

Summary

1. Does Texas accept the federal exemptions for poultry processing?

Yes, but only for very low volume (see above). Exempt processors must meet TDH requirements.

2. Does Texas require licensing to process poultry?

If they process for wholesale markets, then they cannot be uninspected exempt chickens. Low volume operations can apply for voluntary state inspection to sell wholesale. Processors who also sell the birds need voluntary inspection to sell wholesale.

3. Does Texas have sanitation requirements for processing facilities?

Yes. Consult with the Department of State Health Services, Environmental and Consumer Safety, Meat Safety Assurance Unit.

4. Do I need to talk to anyone locally other than the meat safety assurance unit?

Some cities and counties require permits for processing and selling any food items. There is a lot of jurisdictional cross over, so processors/producer-marketers should contact their city and county to ensure that they meet all local requirements.

5. Where can I sell my poultry?

See information above and links below.

Useful Links

Grant of Poultry/Rabbit Exemption: <http://www.dshs.state.tx.us/msa/grant.shtm#poultry>

Meat Safety Assurance Unit: <http://www.dshs.state.tx.us/msa/about.shtm>

Contact

Texas Department of Agriculture
P.O. Box 12847
Capitol Station
Austin, TX 78711
Phone (512) 463-7476

Texas Department of State Health Services
PO Box 149347
Austin, TX 78714

‡ We collected this information from Texas statutes and regulations available online and sent it to state regulators for review but never received a response.

UTAH

Utah has a state poultry inspection program, administered by the Department of Agriculture and Food (DAF).

Summary

1. Does Utah accept the federal exemptions for poultry processing?

Yes.

2. Does Utah require licensing to process poultry?

Yes. To process poultry to sell, you must obtain a license from DAF; the license must be renewed annually. DAF inspects exempt operations monthly to ensure they meet all safety and sanitation requirements.

3. Does Utah have sanitation requirements for processing facilities?

Yes. Utah follows the USDA sanitation requirements (9 CFR 416).

4. Do I need to talk to anyone locally other than the Utah Department of Agriculture and Food?

No. To start your own poultry processing operation, first contact DAF to discuss facility and sanitation requirements. You are not required to submit blueprints to DAF, but showing a draft of the operation layout to inspectors and/or having an inspector visit your facility prior to applying for a license is suggested to ensure site approval.

5. Where can I sell my poultry?

Wherever USDA allows you to sell based on your exemption. See FSIS guidance.

Useful Links

Utah Department of Agriculture and Food, Meat and Poultry Inspection:

<http://ag.utah.gov/animal/meat-and-poultry.html>

Contact

Utah Department of Agriculture and Food
350 North Redwood Road
P.O. Box 146500
Salt Lake City, UT 84114-6500

Phone: (801) 538-7100

Fax: (801) 538-7126

VERMONT

Vermont has a state poultry inspection program, administered by the Agency of Agriculture, Food and Markets (AAFM).

Summary

1. Does Vermont accept the federal exemptions for poultry processing?

Yes and no. Vermont's meat inspection regulations pertaining to exemptions are slightly more restrictive than the federal ones. A poultry operation that meets the federal requirements for an exemption may qualify for a state exemption except for the following: 1) Vermont does not recognize the "Small Enterprise Exemption", and 2) the "Poultry Producer or other Person's Exemption" is not allowed by the Vermont Department of Health (VDH), which regulates hotels, restaurants, and boarding houses. VDH regulations (5-204 X. Source of Food) require that poultry/poultry products be inspected and approved by USDA FSIS or AAFM.

2. Does Vermont require licensing to process poultry?

Poultry processing operations that are inspected by USDA FSIS or AAFM must obtain the appropriate license from AAFM. Poultry operations that operate under the custom slaughter exemption and operations that process poultry under the retail exemption must also obtain the appropriate AAFM license. Poultry processing operations that operate under other exemptions do not require an AAFM license.

3. Does Vermont have sanitation requirements for processing facilities?

Yes. Vermont follows the USDA sanitation requirements (9 CFR 416).

4. Do I need to talk to anyone locally other than the Agency of Agriculture, Food and Markets?

Yes. Both AAFM and VDH both have regulations pertaining to the sale of poultry products in the state. Check with both to make sure you are following all established requirements.

5. Where can I sell my poultry?

Producers processing up to 1,000 poultry can sell from the farm, to restaurants, and at farmers' markets, provided they follow the labeling and notification requirements in "6 V.S.A 3312 Inspection: exceptions" (see Vermont statutes below). Producers processing poultry under the 20,000 bird limit exemption can sell direct to consumers either from the farm or at farmers' markets.

Useful Links

Division of Food and Consumer Protection Guides on Meat Inspection Regulations:

<http://www.vermontagriculture.com/fscp/meatInspection/regulations.html>

Inspection Requirements for Meat and Poultry Businesses in Vermont:

<http://www.vermontagriculture.com/fscp/meatInspection/inspection.html>

Laws

Vermont Statutes Online (Title 6: Agriculture, Chapter 204: Preparation of Livestock and Poultry Products): <http://www.leg.state.vt.us/statutes/sections.cfm?Title=06&Chapter=204>

Contact

Vermont Agency of Agriculture, Food and Markets
116 State Street
Montpelier, VT 05620-2901

Phone: (802) 828-2430

The Vermont Department of Health
Food and Lodging Program
108 Cherry Street - PO Box 70
Burlington, VT 05402

Phone: (802) 863-7200

VIRGINIA

Virginia has a state poultry inspection program, administered by the Virginia Department of Agriculture and Consumer Services (VDACS) Office of Meat and Poultry Services (OMPS), authorized by the Virginia Meat and Poultry Products Inspection Act. OMPS also participates in a Talmadge/Aiken Cooperative inspection program.

Summary

1. Does Virginia accept the federal exemptions for poultry processing?

Yes. VDACS has adopted the Code of Federal Regulations (CFR 9, Parts 301 - 500) by Code of Virginia, §3.2-5406 (see link below).

2. Does Virginia require licensing to process poultry?

Yes. Anyone processing more than 1,000 birds annually must apply for a permit with VDACS. Those operations that fall under the 1,000 bird limit exemption need not apply but must still comply with the requirements of the Federal Poultry Products Inspection Act.

3. Does Virginia have sanitation requirements for processing facilities?

Yes. Virginia follows the USDA sanitation requirements (9 CFR 416).

4. Do I need to talk to anyone locally other than the Virginia Department of Agriculture and Consumer Services?

Yes. Contact your city or county zoning offices and local health departments for additional rules and requirements.

5. Where can I sell my poultry?

For most products produced under the poultry exemption, product can only be sold within Virginia. Contact the Office of Meat and Poultry Services for more information.

Useful Links

Meat and Poultry Services Regional Office Directory:

<http://www.vdacs.virginia.gov/about/directory-ais.shtml#omps>

Laws

The Virginia Meat and Poultry Products Inspection Act, Code of Virginia, Title 3.2, Chapter 54, §§3.2-5400-5421: <http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+TOC0302000005400000000000>

The Virginia Administrative Act, §2VAC5-210, §§10-80:

<http://leg1.state.va.us/000/reg/TOC02005.HTM#C0210>

Contact

Virginia Department of Agriculture and Consumer Services
102 Governor Street
Richmond, Virginia 23219

Division of Animal and Food Industry Services: (804)692-0601

<http://www.vdacs.virginia.gov/meat&poultry/index.shtml>

WASHINGTON

Washington does not have a state poultry inspection program.

Summary

1. Does Washington accept the federal exemptions for poultry processing?

No. Washington currently has two ways to allow small-scale poultry producers to be exempted from the Federal Poultry Products Inspection Act: by obtaining (1) a WSDA Special Poultry Permit or (2) a WSDA Food Processors License. With both, sales are only allowed within the state of Washington.

2. Does Washington require licensing to process poultry?

Yes. Those who process up to 1,000 birds in a calendar year, which are whole birds and are provided directly to the end consumer, must obtain a WSDA Special Poultry Permit. Those who process up to 20,000 birds per calendar year, which are whole or processed (into cuts, frozen, etc.) and are provided directly to end consumers or for sale to retail markets such as restaurants, grocery stores or farmers markets, must obtain a WSDA Food Processor License.

3. Does Washington have sanitation requirements for processing facilities?

Yes. The WSDA Special Poultry Permit and the WSDA Food Processor License have the same sanitation requirements. Mobile Poultry Processing Units must meet the regulatory requirements for a WSDA Licensed Food Processing facility. Check with the WSDA Food Safety Program Department for a complete list of requirements.

4. Do I need to talk to anyone locally other than the Department of Agriculture?

Yes. To obtain a WSDA Special Poultry Permit or WSDA Food Processor License, contact Food Safety to discuss your plans with an inspector (see contact information below).

5. Where can I sell my poultry?

The local health department sets the rules for the retail selling of meat and poultry products at farmers markets and farm stands in their jurisdiction (usually a county). Contact your local health department to determine what is allowed in your area (see contact below).

Useful Links

WSDA's "Handbook for Special Poultry Permit to Slaughter, Prepare and Sell Whole Raw Poultry": <http://www.agr.wa.gov/FoodAnimal/TempChickenSlaughter/Handbook.aspx>

Information on Food Processors: www.agr.wa.gov/FoodAnimal/FoodProcessors

Information on the Food Safety Program: <http://www.agr.wa.gov/FoodAnimal/FSP/>

Information on the WSDA Organic Food Program: www.agr.wa.gov/FoodAnimal/Organic

Laws

Washington State Department of Agriculture Laws and Rules: <http://agr.wa.gov/Lawsrules/>

Contact

WSDA Food Safety Program

<http://agr.wa.gov/FoodAnimal/FSP/>

Program Manager: Lucy Severs

Phone: (360) 902-1876

foodsafety@agr.wa.gov

Washington State Department of Health

Local Health Departments/Districts

<http://www.doh.wa.gov/LHJMap/LHJMap.htm>

WEST VIRGINIA

West Virginia has a state poultry inspection program, administered by the Meat and Poultry Inspection Division of the State Department of Agriculture.

Summary

1. Does West Virginia accept the federal exemptions for poultry processing?

Yes, but only one, the Producer/Grower – 1,000 Limit Exemption. There is no application process in order to obtain the exemption, and products must meet the requirements listed in the federal exemption except for putting the poultry exemption number "Exempt - P. L. 90-492" on the package label.

2. Does West Virginia require licensing to process poultry? Yes. The state poultry inspection program regulates establishments that produce and sell products in the state and are not under USDA inspection. To determine if and what licensing may be required, contact the Meat and Poultry Inspection Division (MPID) office (see below).

3. Does West Virginia have sanitation requirements for processing facilities?

Yes. For commercial and custom facilities under inspection by MPID, sanitation requirements are the same as federal (9 CFR 416).

4. Do I need to talk to anyone locally other than the Meat and Poultry Inspection Division?

Yes. A farmer/processor should contact the county health department to see if a license/permit is required from them to sell meat products in their area.

5. Where can I sell my poultry?

For the Producer/Grower – 1,000 Limit Exemption, poultry can be sold at the same places allowed under the federal exemption.

Useful Links

West Virginia Department of Agriculture Employee Directory Meat and Poultry Inspection Division: http://www.wvagriculture.org/WVDA_Directory/MPI.html

Laws

West Virginia TITLE 61 Legislative Rules Department of Agriculture Series 16 Inspection of Meat and Poultry: <http://www.wvagriculture.org/images/Meat-Poultry/Rules-Regs.html>

Contact

Meat and Poultry Inspection Division
West Virginia Department of Agriculture
State Capitol
1900 Kanawha Boulevard East
Charleston, WV 25305

Phone: (304) 558-2206

Robert E. Pitts, DVM, Director

Phone: (304) 558-2206

Email: rpitts@wvda.us

WISCONSIN

Wisconsin has a state poultry inspection program, administered by the Department of Agriculture, Trade and Consumer Protection Division of Food Safety.

Summary

1. Does Wisconsin accept the federal exemptions for poultry processing?

Only one: the Producer/Grower 1,000 Limit Exemption. Anyone processing more than 1,000 birds per calendar year is required to have bird-by-bird inspection at a state or USDA inspected facility.

2. Does Wisconsin require licensing to process poultry?

No. For those operations that fall under the 1,000 Limit exemption, a license is not required if the poultry is sold from the producer's premises. However, to sell exempt poultry at a farmers' market, a producer must have a mobile retail food license and have the poultry processed at a state licensed facility.

3. Does Wisconsin have sanitation requirements for processing facilities?

Yes. Wisconsin follows the USDA sanitation requirements (9 CFR 416).

4. Do I need to talk to anyone locally other than the Department of Agriculture, Trade and Consumer Services?

Yes. Local ordinances might apply at farmers' markets depending on the area. Check with those in charge of the local market where you wish to sell.

5. Where can I sell my poultry?

If they obtain the proper license and/or adhere to accurate labeling requirements, those producers under the 1,000 limit exemption can sell poultry directly to the consumer from their premises or at farmers' markets. Anyone who wishes to produce more than 1,000 birds per year or to sell to retail establishments in Wisconsin must process at a facility with bird-by-bird inspection (state or federal).

Useful Links

Direct Marketing Meat and Poultry Department of Agriculture, Trade and Consumer Protection Division of Food Safety Guide: <http://datcp.wi.gov/uploads/Food/pdf/DirectMktingMeatPoultry.pdf>

Laws

Wisconsin Department of Agriculture, Trade and Consumer Protection WI Food Safety

Laws: http://datcp.wi.gov/Food/Wisconsin_Food_Safety_Laws/index.aspx

Contact

Wisconsin Department of Agriculture, Trade & Consumer Protection

Division of Food Safety

PO Box 8911

Madison, WI 53708-8911

Phone: (608) 224-4700

<http://datcp.wi.gov/>

WYOMING

Wyoming has a state poultry inspection program, administered by the Wyoming Department of Agriculture Consumer Health Services (WDA-CHS).

Summary

1. Does Wyoming accept the federal exemptions for poultry processing?

Yes, the custom exemption (for the personal use of the owner), the 1000 bird limit exemption and the 20,000 bird limit exemption(PL 90-492).

2. Does the state require a license to process poultry?

Yes.

3. Does the state have building/sanitation requirements for processing facilities?

Yes. See this document: <http://wyagric.state.wy.us/images/stories/pdf/chs/requirements.pdf>

4. Do I need to talk to anyone locally other than WDA-CHS?

If you are on septic or well, you will need to consult with the county health department, building and zoning, or the state environmental quality department (for septic) or state engineer's office (for wells).

5. Where can I sell my poultry?

Under the 1000 bird exemption, you can sell within the state, to retailers, hotels, restaurants, institutions, wholesale markets, as well as customers directly from your own farm or at farmers' markets. This matches federal exemption rules.

Useful Links

Wyoming Poultry and Poultry Product Exemptions:

<http://wyagric.state.wy.us/divisions/chs/meat-a-poultry-program>

List of Requirements for State Inspected Slaughter and Processing Facilities:

<http://wyagric.state.wy.us/images/stories/pdf/chs/requirements.pdf>

WDA Consumer Health Services Meat and Poultry Program:

<http://wyagric.state.wy.us/divisions/chs/meat-a-poultry-program>

Laws

Wyoming Food, Drug & Cosmetic Safety Act:

<http://wyagric.state.wy.us/images/stories/pdf/chs/foodsafetylaw.pdf>

Wyoming Food Safety Rule:

<http://wyagric.state.wy.us/divisions/chs/food-safety>

Contact

Wyoming Department of Agriculture

Consumer Health Division

2219 Carey Avenue

Cheyenne, WY 82002

Phone: (307) 777-7211