



Questions for Dr. Gillespie - custom mobile slaughterer

[FSIS Home](#) | [USDA.gov](#) | [FoodSafety.gov](#) | [USA.gov](#) | [Whitehouse.gov](#) | [Site Map](#) | [Policies & Links](#) | [Significant Guidance](#) | [FOIA](#) | [Accessibility Statement](#) | [Privacy Policy](#) | [Non-Discrimination Statement](#) | [Civil Rights](#) | [No FEAR](#) | [Information Quality](#)

This incident cannot be reopened or updated. If you need further assistance, please submit a new question by clicking the Submit a Question tab.

Communication History

Staff Account KG2@askFSIS via Email

12/07/2016 09:30 AM

Peter,

Thank you for your askFSIS questions.

You state and ask:

Q1. Under 9 CFR 303.1 how many owners can you have for a custom slaughtered animal if the animal is slaughtered on the farm by a state-licensed custom mobile slaughterer?

A1. No limit. On farm slaughter by a "mobile" slaughter operation is covered by requirements in 9 CFR 303.1(a)(2). The regulations allow for more than one owner of livestock provided that the "ownership" (i.e. all owners) of the animal is clearly demonstrated and documented prior to the slaughter of the animal. Obviously, the same owners would receive the custom processed product based on such ownership.

Q2. Under 9 CFR 303.1, can the farmer act as the agent for the actual livestock owner or owners and arrange for the custom mobile slaughterer to come to the farm and slaughter the animal?

A2. Yes. The custom exempt regulations are silent regarding the farmer acting as a livestock agent. The Livestock handler's regulation (9 CFR 320.1) does require the farmer to completely and correctly disclose the nature of the transaction in his record. The new owner would have a copy of the transaction as well.

Here is a link to the regulations FYI.

<https://www.gpo.gov/fdsys/search/pagedetails.action?collectionCode=CFR&searchPath=Title+9%2FChapter+III&granuleId=CFR-2016-title9-vol2&packageId=CFR-2016-title9-vol2&oldPath=Title+9&fromPageDetails=true&collapse=true&ycord=596>

Q3. If the carcass from that animal is taken to custom facility for processing, can the farmer act as the agent for the actual owners and pick up the meat from the facility and distribute it to the actual owners?

A3. Yes, the regulations authorize the custom operator to deliver such product to the owners as part of his fee for service. However, as a separate transaction or as part of the original sale, the farmer (previous livestock owner) can deliver product to the new owners on behalf of the new owners. It would be wise that the custom processor have evidence (i.e. documentation) the farmer is authorized by the owners to pick up product from the processor on behalf of the owner and deliver to the owner.

Hope this helps.

Regards,

Kevin J. Gillespie, DVM
PD Staff

Rule Response**12/02/2016 07:07 PM**

Your message has been received by the Policy Development Staff (PDS) and will be assigned to a staff specialist for response.

Our goal is to provide an accurate response as quickly as possible—in most instances, this will be within two working days. Some questions, however, require extensive research and will take longer to answer. If you would like to know the status of your question, you can telephone PDS for additional discussion at 1-800-233-3935 between the hours of 6:00 a.m. and 4:30 p.m. CT, Monday through Friday. Please refer to the incident reference number below when calling for clarification.

The reference number for your question is 161202-000075

[You may update your incident here.](#)

Thank you.
Policy Development Staff

Customer Pete Kennedy via CSS Web**12/02/2016 07:07 PM**

I have several questions for Dr. Gillespie:

1. Under 9 CFR 303.1 how many owners can you have for a custom slaughtered animal if the animal is slaughtered on the farm by a state-licensed custom mobile slaughterer?
2. Under 9 CFR 303.1 Can the farmer act as the agent for the actual owners of the animal (to whom the farmer has sold ownership interests in the live animal) and arrange for the custom mobile slaughterer to come to the farm and slaughter the animal?
3. If the carcass from that animal is taken to custom facility for processing, can the farmer act as the agent for the actual owners and pick up the meat from the facility and distribute it to the actual owners?

Thanks in advance for your response.

Additional Details

Email Address	pete@farmtoconsumer.org
ReferenceNumber	161202-000075
NamedIDOptList	Solved
Created	12/02/2016 07:07 PM
UpdatedTime	12/07/2016 09:30 AM
ClosedTime	12/07/2016 09:30 AM
ServiceProduct	<ul style="list-style-type: none"> • General Inspection Policy
ServiceCategory	<ul style="list-style-type: none"> • Processing • General
Policy Arena?	Domestic (U.S.) Only
Phone Number	941-349-4984
Establishment Number	n/a
Establishment Size	Not Applicable
Country Name	USA