

# **Poultry Exemptions**

## **Under the**

# **Federal Poultry Products Inspection Act**

## **and the**

# **NC Poultry Products Inspection Law**

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And Consumer Services  
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# **What does Exempt Mean?**

**Under the Act/Law the term “exempt” means that certain types of poultry slaughter and processing operations qualify to operate without the benefit of Federal or State inspection on a daily basis and a grant of inspection is not required.**

**Exempt operations are exempt from continuous bird-by-bird inspection and the presence of inspectors during the slaughter of poultry and processing of poultry products.**

**However, an individual operating under such an exemption is not exempt from all requirements of the Act/Law.**

**The Act/Law does not exempt any person slaughtering or processing poultry from the provisions which require the manufacturing of poultry products that are **not adulterated and not misbranded.****



# How is Adulteration Defined?

- A product is adulterated if it bears or contains a substance that makes it injurious to health, or if it has been held, packed or produced under insanitary conditions.

# How is Misbranded Defined?

- Exempted poultry products cannot bear the official mark of inspection.
- There are specific labeling or identification requirements for exempt poultry products to meet in lieu of bearing all required elements of a label.
- The information that shipping containers or packages of exempt poultry products must bear varies depending on the exemption.
- No claims are displayed on the shipping containers or packages of exempt poultry products.

# Poultry Exemptions

- **Producer/Grower 1,000 Bird limit**
- **Producer/Grower 20,000 Bird limit**

# Producer/Grower 1,000 Poultry Limit Exemption

- A person may slaughter and process (on his or her premises) poultry that s/he raised and may distribute such poultry without mandatory (daily) inspection.
- The limited provisions of this exemption apply to poultry growers who slaughter no more than 1,000 birds in a calendar year for use as human food.

# To operate under this exemption the noted five (5) requirements must be met.

1. The producer or grower slaughters no more than 1,000 healthy birds of his/her own raising in a calendar year.
2. The producer or grower sells/distributes only poultry products produced from poultry raised on his/her own farm. General Note: The producer/grower can also distribute poultry products that he/she raised and had slaughtered/processed under USDA inspection.
3. Slaughter and processing are conducted under sanitary standards, practices and procedures that are sound, clean, fit for human food and not adulterated. **\*\* (Basic Sanitary Standards)**
4. The producer or grower keeps accurate and legible records necessary for effective enforcement of the Act.
5. The poultry products may not move in interstate commerce.

# Record Keeping Requirements

- The number of birds that are slaughtered in a calendar year.
- Records covering the sales of poultry products to customers.
- Records are subject to review by FSIS or MPID employees to determine compliance with the requirement for sales not to exceed 1,000 poultry in a calendar year.
- Maintain all records for the slaughtering and sale of poultry products to customers for two (2) years.



# Basic Sanitary Standards

- Following are general basic sanitary standards, practices, and procedures [9 CFR 416.2-416.5]. The list is a summary of the regulatory requirements for sanitation procedures and practices that are required for a poultry business receiving full U.S. Department of Agriculture inspection and are applicable to poultry exempt operations {Title 9 CFR Part 416}.

A. Sanitary operating conditions. All food-contact surfaces and non-food-contact surfaces of an exempt facility are cleaned and sanitized as frequently as necessary to prevent the creation of insanitary conditions and the adulteration of product. Cleaning compounds, sanitizing agents, processing aids, and other chemicals used by an exempt facility are safe and effective under the conditions of use. Such chemicals are used, handled, and stored in a manner that will not adulterate product or create insanitary conditions. Documentation substantiating the safety of a chemical's use in a food processing environment are available to inspection program employees for review. Product is protected from adulteration during processing, handling, storage, loading, and unloading and during transportation from official establishments.

# Basic Sanitary Standards cont'

- B. Grounds and pest control. The grounds of exempt operation are maintained to prevent conditions that could lead to insanitary conditions or adulteration of product. Plant operators have in place a pest management program to prevent the harborage and breeding of pests on the grounds and within the facilities. The operator's pest control operation is capable of preventing product adulteration. Management makes every effort to prevent entry of rodents, insects, or animals into areas where products are handled, processed, or stored. Openings (doors and windows) leading to the outside or to areas holding inedible product have effective closures and completely fill the openings. Areas inside and outside the facility are maintained to prevent harborage of rodents and insects. The pest control substances used are safe and effective under the conditions of use and are not applied or stored in a manner that will result in the adulteration of product or the creation of insanitary conditions.

# Basic Sanitary Standards

***C. Sewage and waste disposal.*** Sewage and waste disposal systems properly remove sewage and waste materials—feces, feathers, trash, garbage, and paper—from the facility. Sewage is disposed of into a sewage system separate from all other drainage lines or disposed of through other means sufficient to prevent backup of sewage into areas where product is processed, handled, or stored. When the sewage disposal system is a private system requiring approval by a State or local health authority, upon request, the management must furnish to the inspector a letter of approval from that authority.

***D. Water supply and water, ice, and solution reuse.*** A supply of running water that complies with the National Primary Drinking Water regulations (40 CFR part 141) at a suitable temperature and under pressure as needed, is provided in all areas where required (for processing product; for cleaning rooms and equipment, utensils, and packaging materials; for employee sanitary facilities, etc.). If a facility uses a municipal water supply, it must make available to the inspector, upon request, a water report, issued under the authority of the State or local health agency, certifying or attesting to the potability of the water supply. If a facility uses a private well for its water supply, it must make available to the inspector, upon request, documentation certifying the potability of the water supply that has been renewed at least semi-annually.



# Basic Sanitary Standards cont'

E. Facilities. Maintenance of facilities during slaughtering and processing is accomplished in a manner to ensure the production of wholesome, unadulterated product.

F. Dressing rooms, lavatories, and toilets. Dressing rooms, toilet rooms, and urinals are sufficient in number ample in size, conveniently located, and maintained in a sanitary condition and in good repair at all times to ensure cleanliness of all persons handling any product. Dressing rooms, lavatories, and toilets are separate from the rooms and compartments in which products are processed, stored, or handled.

G. Inedible Material Control. The operator handles and maintains inedible material in a manner that prevents the diversion of inedible animal products into human food channels and prevents the adulteration of human food.

**All poultry or poultry products produced under this exemption must be labeled with the following:**

- a. the processor's name,**
- b. the address,**
- c. the statement: Exempt P.L. 90-492,**
- d. safe handling instructions.**

# Safe Handling Instructions

→ Some food products may contain bacteria that could cause illness if the product is mishandled or cooked improperly. For your protection, follow these safe handling instructions.



Keep refrigerated or frozen. Thaw in refrigerator or microwave.



Keep raw meat and poultry separate from other foods. Wash working surfaces (including cutting boards), utensils, and hands after touching raw meat or poultry.



Cook thoroughly.



Keep hot foods hot. Refrigerate leftovers immediately or discard.

Rationale statement modified per 9 CFR  
381.125(b) (2) (ii) as product is not  
inspected



# **Safe handling instruction that comply with the requirements of Title 9 CFR 381.125(b)(2)(ii)**

“Some food products may contain bacteria that could cause illness if the product is mishandled or cooked improperly. For your protection, follow these safe handling instructions.”

It is not acceptable to use the safe handling statement used on inspected product 9 CFR 381.125.(2)(i)

“This product was prepared from **inspected and passed** meat and or poultry. Some food products may contain bacteria that could cause illness if the product is mishandled or cooked improperly. For your protection, follow these safe handling instructions.”

# Producer/Grower 20,000 Poultry Limit Exemption

- A person may slaughter and process (on his or her premises) poultry that he/she raised and he/she may distribute such poultry without mandatory (daily) inspection.
- The limited provisions of this exemption apply to poultry growers who slaughter/process no more than 20,000 birds in a calendar year for use as human food.

# To operate under this exemption the noted nine (9) requirements must be met:

1. The producer/grower slaughters/process no more than 20,000 healthy birds of his/her own raising, on his/her premises in a calendar year.
2. The producer/grower sells/distributes only poultry products he/she prepares under the Producer/Grower 20,000 Poultry Limit Exemption. He/she may not buy or sell poultry products prepared under another exemption in the same calendar year.
3. The poultry products can be sold only within the State of North Carolina. The poultry products may not move in interstate commerce.

# Producer/Grower 20,000 Poultry Limit Exemption requirements continued:

4. The poultry are healthy when slaughtered.
5. The slaughter and processing at the Producer/Grower's premises is conducted under sanitary standards, practices and procedures that produce products that are sound, clean, fit for human food and not adulterated.  
\*\*(Basic Sanitary Standards)
6. The producer/Grower only distributes poultry products he/she produced under the Poultry/Grower Exemption.  
Note: The producer/grower can also distribute poultry products that he/she raised and had slaughtered /processed under USDA inspection.



# Producer/Grower 20,000 Poultry Limit Exemption requirements continued:

7. With the exception of mobile slaughter units, the facility/location used to slaughter or process the poultry is not used to slaughter or process another person's poultry unless the State Director of Meat and Poultry Inspection grants an exemption.
8. All poultry or poultry products produced under this exemption must be labeled with the following:
  - a. the processor's name,
  - b. the address,
  - c. the statement, Exempt P.L. 90-492,
  - d. Safe Handling Instructions
9. The Producer/Grower keeps accurate and legible records necessary for the effective enforcement of the Act.



# **Which and how many exemptions may a person or business claim when slaughtering or processing poultry?**

- **A slaughterer or processor of poultry may not simultaneously operate under more than one exemption during a calendar year.**
- **A person or business may slaughter or process poultry under an exemption if the operation qualifies for the exemption.**

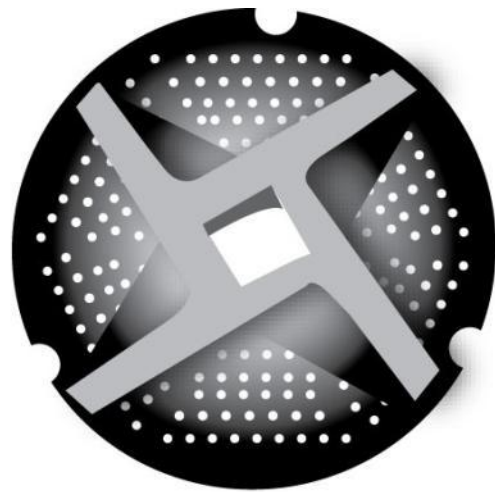
<b>CRITERIA</b>	<b>PRODUCER GROWER-1,000 LIMIT</b>	<b>PRODUCER GROWER- 20,000 LIMIT</b>
<b>Slaughter/Processing Limit</b>	<b>Yes 1,000</b>	<b>Yes 20,000</b>
<b>Can sell to any customer</b>	<b>Yes</b>	<b>Yes</b>
<b>Can sell to H.R.I (Hotel, Restaurant, Institutions</b>	<b>Yes</b>	<b>Yes</b>
<b>Sell to Distributor</b>	<b>Yes</b>	<b>Yes</b>
<b>Sell to Retail</b>	<b>Yes</b>	<b>Yes</b>
<b>Intra-State Distribution</b>	<b>Yes</b>	<b>Yes</b>
<b>Inter-State Distribution</b>	<b>No</b>	<b>No</b>
<b>Processor's Name &amp; Address</b>	<b>Yes</b>	<b>Yes</b>
<b>Statement: Exempt P.L. 90-492</b>	<b>Yes</b>	<b>Yes</b>
<b>Safe Handling Instructions</b>	<b>Yes</b>	<b>Yes</b>

# Resources:

- MPID Notice 8-10: Poultry Exemption Requirements dated 7-21-10.
- MPID Notice 10-10: Requirements for the Producer/Grower 20,000 Poultry Exemption.
- MPID website:  
<http://www.ncagr.com/meatpoultry/>
- MPID office phone number: 919-733-4136

# Questions?

# Poultry Processing Exemptions



**NICHE MEAT PROCESSOR**  
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**ASSISTANCE NETWORK**

*December 7, 2010 Webinar*



*[www.nichemeatprocessing.org](http://www.nichemeatprocessing.org)*