

Update on On-Farm Slaughter

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There has been widespread misinformation and confusion surrounding the requirements for the individual slaughter exemption and the custom slaughter exemption, and how these relate to “on-farm” slaughter. The Vermont Agency of Agriculture consulted with the USDA Food Safety and Inspection Service in an attempt to clarify the federal regulations that govern these activities. Below is a description of these exemptions, and an explanation of the allowable slaughter activities and criteria that must be met in order for an individual or person to operate under these exemptions. **One very important point to remember is that meat derived from animals that are slaughtered under either exemption cannot be sold.**

In the context of this document, “**on-farm slaughter**” is a broad term that simply means the activity of killing an animal on a farm, to use the meat and meat food products that are derived from that food animal. This slaughter activity can take place under the “Individual Exemption”, defined below, if the criteria are met. If the livestock being slaughtered on a farm are for another individual or person’s use, then that farm would meet the definition of a custom slaughterhouse (see 6 V.S.A. 204 § 3302(10)). In this case, the slaughter activity would take place under the “Custom Exemption”, also defined below.

The “**Individual Exemption**” allows for an individual to slaughter and/or process animals owned wholly by him/her. The meat from these animals is exclusively for use by him and members of his household, non-paying guests and employees. The Individual Exemption does not apply to the slaughter of animals owned wholly or in part by another individual or person. If an individual brings his/her animal to another farm to slaughter, this would fall under the custom exemption.

The “**Custom Exemption**” allows for a person to provide slaughter and/or processing services to others who own the food animals either wholly or in part. The meat from custom slaughtered animals is exclusively for personal use by the owner(s) of the animal, members of his/her household, employees and non-paying guests. In order to operate under the custom exemption, the following criteria must be met:

1. The operation is licensed with the VT Agency of Agriculture as a custom slaughter operation;
2. The slaughter operations are conducted *in an approved facility* under sanitary conditions as set out in 9 CFR 416.1-416.5;
3. The animals are slaughtered as a service to their owners, regardless of whether the animals were owned by an individual or by multiple owners in

partnerships or cooperatives; and All owners must sign the certificate of ownership before slaughter is performed

4. All of the meat and edible meat by-products derived from the custom slaughter of the animals is distributed only back to the owners of the animals for their personal use or for use by members of their households or non-paying guests;
5. None of the meat or edible meat by-products derived from the custom slaughter is offered for sale in commerce; and
6. The inedible parts (blood, internals, etc) are properly disposed of according to laws of other local, state and federal agencies that have jurisdiction.

Animals with multiple owners, and the slaughter of those animals on the farm where they are raised, would fall under the custom exemption requirements listed above.

Farms that are raising livestock animals in the CSA model (Community Supported Agriculture) and planning to distribute the meat product to share holders have a couple of options when it comes to the slaughter of the animals.

- The first option is to have the animals slaughtered and processed under inspection at an official establishment. This would allow the distribution of the cuts to all of the shareholders. The requirement would be a retail license for the Farm.
- If the slaughter is to take place on the farm, then the farm would meet the definition of a custom slaughterhouse, and would fall under the custom exemption requirements listed above.

Following are some frequently asked questions that will hopefully answer some of the confusion:

NOTE: Throughout this article, the use of “his” can mean “his” or “hers”.

1. Q: Can an individual slaughter animals of his own raising on his farm?

A: Yes. Per 9 CFR 303.1(a)(1), and 6 V.S.A §3305(8), this is permissible *if the following criteria are met:*

1. the animal is owned wholly by the individual,
2. the meat and meat food products of such livestock are exclusively for use by the individual, and members of his household and his nonpaying guests and employees,
3. none of the meat or edible meat by-products derived from the on-farm slaughter is offered for sale, and
4. the inedible parts (blood, internals, etc) are properly disposed of according to laws of other local, state and federal agencies that have jurisdiction.

2. Q: Can I sell a live animal and then raise it on my farm for the buyer?

A: Yes. The buying and selling of live animals, and contract growing, is governed by laws of other local, state, and federal agencies. However, if you want to have those animals slaughtered on your farm, see Question number 4.

3. **Q: Can multiple owners own an animal together?**

A: Yes. See question number 2.

4. **Q: Can I sell a live animal to one or multiple buyers, and then have that animal slaughtered on my farm?**

A: This would fall under the definition of a custom slaughterhouse, as a custom slaughter operation. Therefore, this would be permissible, *if the following criteria are met:*

1. *The on farm slaughter operations are conducted in an approved facility under sanitary conditions as set out in 9 CFR 416.1-416.5;*
2. The animals are slaughtered as a service to their owners, regardless of whether the animals were owned by an individual or by multiple owners in partnerships or cooperatives; and All owners sign the certificate of ownership before slaughter is performed
3. All of the meat and edible meat by-products derived from the slaughter of the animals is distributed only back to the owners of the animals for their personal use or for use by members of their households or non-paying guests;
4. None of the meat or edible meat by-products derived from the on farm custom slaughter is offered for sale in commerce; and
5. the inedible parts (blood, internals, etc) are properly disposed of according to laws of other local, state and federal agencies that have jurisdiction.

5. **Q: Can I sell a live animal and let the buyer slaughter it on my farm?**

A: This would fall under the definition of a custom slaughterhouse, as a custom slaughter operation. Therefore, this is permissible, *if the following criteria are met:*

1. *The on farm slaughter operations are conducted in an approved facility under sanitary conditions as set out in 9 CFR 416.1-416.5;*
2. All of the meat and edible meat by-products derived from the slaughter of the animals is distributed only back to the owners of the animals for their personal use or for use by members of their households or non-paying guests; and All owners sign the certificate of ownership before slaughter is performed
3. None of the meat or edible meat by-products derived from the on farm custom slaughter is offered for sale in commerce; and
4. the inedible parts (blood, internals, etc) are properly disposed of according to laws of other local, state and federal agencies that have jurisdiction.

6. **Q: If I sell a live animal and do not have a custom facility that meets the sanitation requirements, what options exist for the buyer to have that animal**

slaughtered?

A: There are several options:

1. The buyer can bring that animal to his own farm and slaughter it under the individual exemption;
2. The buyer can bring that animal to a custom slaughter facility; or
3. The buyer can bring the animal to any one of the inspected slaughter facilities in the state.

7. Q: I heard that the Amendment to 6 V.S.A §3306(f) that took effect on April 15, 2009, allowed for the on-farm slaughter of animals raised on that farm, for other owners, without the need for a facility that meets the sanitation requirements. Is this accurate?

A: No. This activity is considered to be custom slaughter, and such activity is governed by Federal custom exemption regulations 9 CFR 303.1(a)(2). Therefore, this activity would require a facility that meets the sanitary conditions in 9 CFR 416.1-416.5.

8. Q: Do other states that have meat inspection programs interpret the federal regulations the same way?

A: Yes. To have a meat inspection program, each state must enforce laws and regulations that are “at least equal to” the federal meat and poultry regulations. In fact, many state meat inspection programs enforce laws that are more restrictive than the federal (or Vermont) statutes. If you want more information in relation to other states’ enforcement of the federal on-farm slaughter regulations, see the legislative report submitted to the House and Senate Agriculture Committees on January 15, 2009 (see the link below).

9. Q: What are the sanitation requirements in 9CFR 416.1-416.5, and where can I find them or other inspection requirements?

A: The sanitation requirements are a common-sense list of sanitary facility requirements, which if followed, can decrease the risk of foodborne illness and adulteration of product. Some examples include: washable and sanitizeable walls, floors, ceilings; pest control; sufficient plumbing, sewage, and drainage to handle the waste; hot/cold running water that is potable; washable and sanitizeable utensils and equipment. There is also a requirement for recordkeeping.

The full text of the sanitation requirements can specifically be viewed at:

http://www.access.gpo.gov/nara/cfr/waisidx_07/9cfr416_07.html

You can view the full text of the federal regulations concerning the individual and custom exemptions on-line at: <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=b69c89437d1b6f4349414e46fc2bc45f&rgn=div5&view=text&node=9:2.0.2.1.4&idno=9>

You can view the full text of all of the federal regulations concerning meat product food safety on-line at: http://www.access.gpo.gov/nara/cfr/waisidx_07/9cfrv2_07.html#301

The Legislative Report prepared for Act 207 by the VT Agency of Agriculture can be accessed at: <http://www.vermontagriculture.com/fscp/meatInspection/index.html>

We encourage you to contact the VT Agency of Agriculture, Food and Markets Meat Inspection Section at 802-828-2426 for specific questions or clarification. Also visit our web site at www.vermontagriculture.com.

Please be advised that if you do not follow the guidelines described above, you could be in violation of Title 6 Chapter 204 of the Vermont Statutes, the Federal Meat Inspection Act, and or the laws of other local, state and federal agencies. Violators of Title 6, Chapter 204 of the Vermont Statutes may be liable for a civil penalty up to \$1000.00 per violation, and/or subject to other penalties or criminal prosecution.