



Maryland Department of Agriculture

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Maryland Department of Agriculture

Legislative Comment

Date: January 25, 2022

BILL NUMBER: Senate Bill 39

SHORT TITLE: Task Force to Study the Feasibility of Returning to State Meat Processing Inspection (Farms Buy Local Act)

MDA POSITION: Information

EXPLANATION:

SB 39 establishes a Task Force to Study the Feasibility of Returning to State Meat Processing Inspection, and requires the Maryland Department of Agriculture (MDA) to staff the Task Force.

BACKGROUND INFORMATION:

The processing of livestock, which includes animals such as cattle, sheep, swine, and goats is governed by the Federal Meat Inspection Act. The processing of poultry, including chickens, turkeys, ducks, geese, ratites, and squab is governed by the Poultry Products Inspection Act. The U.S. Department of Agriculture Food Safety Inspection Service (USDA FSIS) is given primary regulatory authority for oversight of meat products that will be offered for sale. One of the main components of that oversight is the requirement that the slaughter of livestock and processing of meat products be subject to continuous inspection by government inspectors. Plants slaughtering and processing livestock and poultry are required to comply with the Humane Slaughter Act.

Federal Inspection: USDA FSIS provides this type of inspection. Federally inspected products can be shipped over state lines and internationally to many countries. Federal inspection requires a Hazard Analysis and Critical Control Point (HACCP) plan, Sanitation Standard Operating Plan (SSOP), a recall plan, daily inspection of processing facilities, and (for red meat) inspection of each animal before and after slaughter.

State Inspection: State inspection programs must be “at least equal to” federal inspection in terms of regulatory rigor. States must enter into a cooperative agreement with USDA FSIS

guaranteeing regulatory standards are at least equal. About half the states have their own meat and/or poultry inspection programs. The federal Cooperative Interstate Shipment Program provides supervisory oversight of the inspection program allowing state-inspected meats from qualifying plants to be shipped across state lines.

Custom-Exempt: A custom-exempt plant can only slaughter and process livestock for the exclusive use of the livestock owner(s). This product cannot be sold. Facilities are subject to periodic, risk-based inspection by USDA FSIS and/or state authorities.

Personal/ Individual Use Exemption: Under certain conditions, a person may slaughter/prepare livestock of their own raising for the exclusive use by them, members of their family, and/or their non-paying guests without the benefit of inspection. Absolutely no product produced under this exemption may be sold commercially.

Retail-Exempt: The retail exemption allows a meat processing business to sell meat at its own retail storefront without daily inspection from USDA FSIS or the state inspection agency. However, the processor is still subject to periodic, risk-based inspection by USDA FSIS, and/or state and local authorities. Retail-exempt businesses cannot slaughter livestock. Therefore, the meat used to produce retail products (fresh cuts or processed meats) must come from plants inspected by USDA FSIS or the state inspection agency in the processor's own state. A retail-exempt processor can also sell a limited amount of product on a wholesale basis to hotel, restaurant, or institutional customers, as long as the product has not been cooked, cured, smoked, rendered, or refined.

A red meat plant can simultaneously do work that is custom-exempt, retail-exempt, and state-or federally inspected; a poultry plant cannot. Depending on the state, a plant may or may not be both state- and federally-inspected. There are several federal poultry processing exemptions for processors who slaughter and process fewer than 20,000 birds per year. This exemption requires the consumer to purchase the poultry on the farm.

The FMIA requires inspection for any product intended for human consumption, wholly or in part, from the carcass or parts of any cattle, sheep, swine, and goat. These animals, defined as "livestock" in the regulations, must be slaughtered and processed under federal inspection, and the meat food products must be inspected and passed for human consumption.

Federal inspection personnel must be present at all times during livestock slaughter operations and for at least part of each shift during which there is further processing of meat products.

Maryland's Wholesome Meat Act authorizes the licensing of slaughtering establishments, labeling of meat, and the state's humane slaughter provisions.

MDA operated a state meat inspection program until May 1992 when the program was eliminated due to budgetary constraints. After that time, the USDA assumed the inspection function of these plants in addition to plants already under USDA FSIS inspection.

If you have additional questions, please contact Cassie Shirk, Director of Legislation and Governmental Affairs, at cassie.shirk@maryland.gov or 410-841-5886.