

This presentation is part of an educational modular program designed to provide new and beginning farmers and ranchers with relevant information to initiate, improve and run their agricultural operations



United States Department of Agriculture
National Institute of Food and Agriculture

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Legal Issues in Food Safety



Disclaimer

This presentation is intended to provide general information about food safety laws and should not be construed as providing legal advice. It should not be cited or relied upon as legal authority. State laws vary and any attempt made to discuss laws of states other than Arkansas is for general information to help the viewer better understand Arkansas law

For advice about how these issues might apply to your individual situation, consult an attorney

Objectives

- Provide a review of food safety rules and regulations that could impact a producer in fruit, vegetable or livestock operations
- Provide an overview of Arkansas state law requirements for the keeping of livestock on your property:
 - Animal welfare laws
 - Control of animal diseases
 - Disposal of dead animals



Overview

- Direct sales of agricultural commodities to consumers is a growing market segment
 - From 1997 to 2007, direct sales grew by 105%
 - That is compared to a 48% increase for all agricultural sales
- Consumers are demanding more locally grown products and many new producers are entering agriculture to meet this growing demand



Overview

- A producer considering entering into the direct sales market will need to consider the impact on their business
- Direct sales will bring in to consideration:
 - Food safety issues
 - Food safety inspections and monitoring
- This presentation will provide an overview of the legal and regulatory issues that could be presented in a direct sales farm business

Insurance

- Insurance should be one of the first expenses new producers consider
- The producer will want to discuss with their insurance agent the true nature of the producer's operation
 - For example, a producer would want to let their insurance agent know if they plan to provide custom slaughtering and processing. This will allow the producer to have the proper level of insurance coverage
- The producer should view insurance as one risk management tool that could prevent larger costs down the road

ALWAYS GET INSURANCE!!



Fruits and Vegetables

Fruit and vegetable regulations depend on whether they are:

- Processed – Changing the food from its original state; or
 - For example, dried apple slices would be processed
- Unprocessed – The food in its natural state.
 - For example, a whole apple would be unprocessed



Unprocessed Fruits and Vegetables (UFVs)

- Generally, unprocessed fruits and vegetables (UFVs) are not regulated by the Arkansas Health Department (ADH)
- UFVs are only regulated when they are adulterated, meaning diseased, contaminated, filthy, putrid or decomposed substance, or if it is otherwise unfit for food

ARK. CODE § 20-56-208(1)

- **Good business practice** – Only sell customers clean and fresh UFVs.



Processed Fruits and Vegetables

- Processed fruits and vegetables (PFVs) are regulated by ADH for consumer safety
- ADH uses the FDA's Food Code to establish safe standards and procedures to ensure safety in the processing and final processed product

PFVs will need to have some form of labeling on the products that bears:

- The common name of the food, such as "Salad Mix"

ARK. CODE § 20-56-209

- Labels should also include all ingredients.

National Organic Program

- A producer may consider growing organic fruits, vegetables, or livestock
- In order to market your products as “**organic**” you must follow the **National Organic Program (NOP)** standards

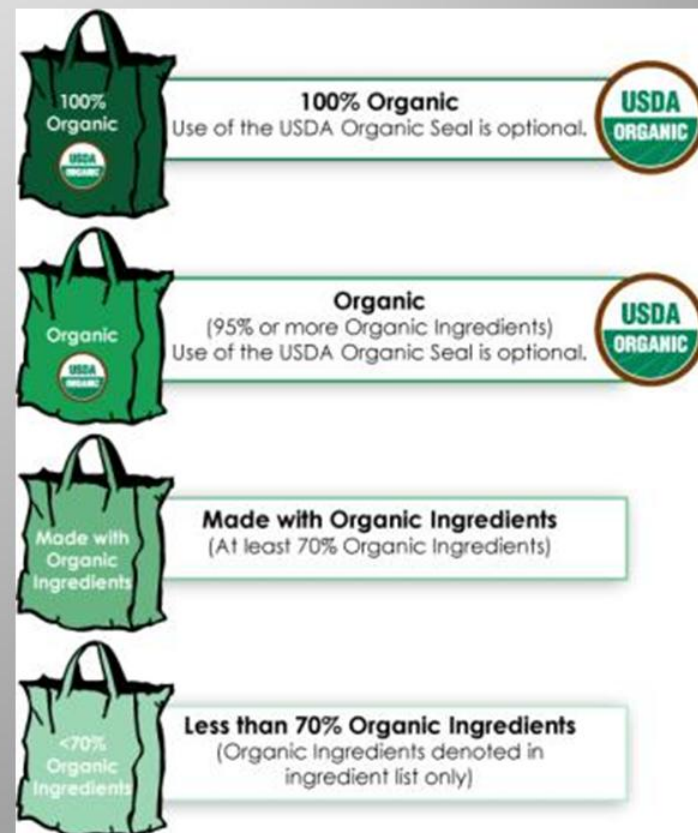
NOP is a program run through the USDA's Agricultural Marketing Service (AMS) to provide a uniform framework of standards for the production and marketing of organic products



Certified Organic



- Individuals or companies who misuse the USDA Organic Seal or mislabel a product as “Organic” can get into costly trouble
- If a product carries the USDA Organic Seal or if a food product states “*Organic*” somewhere in the packaging, the product **MUST** be certified organic
- If the product is not certified organic, individuals or businesses may be fined up to \$11,000 per violation



National Organic Program

- NOP requires any producer selling more than \$5,000 worth of organic products annually to become certified by a USDA-accredited certifying agent
- Certification can be an expensive process depending on the size and location of the farm
 - Arkansas currently has no certifying agents, but the Arkansas Agricultural Department does provide cost-share to defer some of the certification costs

The website “How to go Organic.com” (<http://www.howtogoorganic.com>), run by the Organic Trade Association, has a list of contacts in each state and a list of resources for farmers in Arkansas and the region interested in organic agricultural production



Livestock & Poultry

If a producer is raising livestock or poultry, make sure the following laws are followed when applicable:

- Arkansas's Animal Welfare law
- Arkansas's Branding laws
- Regulations on the movement of livestock
- Arkansas's dead animal disposal laws



Animal Welfare Laws

ARK. CODE § 5-62-103 makes cruelty to animals a crime

- Cruelty to animals is defined as cruelly treating an animal by:
 - Failing to provide adequate food, water, and shelter;
 - Abandons the animal without providing for the animal's continued sustenance;
 - Transports the animal in an inhumane manner

ARK. CODE § 5-62-105(a)(5) provides for an exemption to the animal cruelty statute when the person is using “generally accepted animal husbandry practices”

- Accepted animal husbandry practices include breeding, raising, production, management of animals, dehorning, docking, and castration - ARK. CODE § 5-62-102(4)(A)-(B)

Animal Welfare Laws

- A livestock owner will not be able to knowingly allow their livestock to run free

ARK. CODE § 5-62-122

- Livestock are horses, mules, bovine animals, goats, sheep, swine, chickens, ducks, or similar animals used for farm purposes

ARK. CODE § 5-62-102(15)

- Generally this statute has been interpreted to mean that the livestock owner failed to exercise reasonable care in keeping his/her livestock from running free
- To show reasonable care, a producer would want to do their best to keep fences up and immediately capture loose livestock

Animal Branding

- All cattle, goats, sheep, and hogs over 6 months of age in Arkansas are required to have either an earmark or a brand
ARK. CODE § 2-34-101
- Earmarking is a distinctive cut or mark in the ear used to show ownership of the livestock
- A brand is letters, numbers, or figures burned or frozen on a certain location of a live animal with a hot iron or frozen chemicals. It is applied on the right hip
ARK. CODE § 2-34-201



Animal Branding

- Brands shall be registered with the Arkansas Livestock and Poultry Commission.
 - Costs \$5 to register
 - Brand will have to be reregistered every 5 years

ARK. CODE § 2-34-208

- Earmarks will need to be recorded with the clerk of the county court where the livestock is located.

ARK. CODE § 2-34-101



Control of Animal Diseases

- All animals brought into Arkansas from out-of-state need certifications proving they have been disease free for 30 to 90 days
- Check with the Arkansas Livestock and Poultry Commission (ALPC) before transporting any new livestock or poultry into Arkansas to determine the specific rules for each type of animal wished to be transported into Arkansas



Control of Animal Diseases

- Livestock and poultry exposed to certain diseases can be subject to quarantine or destruction
 - When funds are available, ALPC is required to compensate livestock and poultry owners for any destruction or disinfection from disease of animals and equipment

ARK. CODE § 2-40-103

- Before any poultry flock is destroyed, ALPC must first attempt to negotiate a fair market price for the flock with the owners and if the negotiations fail then ALPC can condemn the flock and compensate the owners after the flock has been destroyed.



Control of Animal Diseases

- When dealing with an animal health issue, always check the ALPC's website to get the latest and up-to-date regulations involving various livestock and poultry diseases
- When in doubt about an animal disease outbreak in your livestock or poultry, contact the ALPC to determine what steps you should take to be in compliance with state law

For example, you can obtain information about permits, regulations and requirements for poultry and egg products in Arkansas and obtain contact information in your area



Dead Animal Disposal

- Large livestock carcasses can be disposed of by:
 - Rendering
 - Burial
 - Extrusion
 - Cooking the carcass for swine food
 - Composting
 - Incineration
 - Buried by special order of the state vet

ARK. CODE R. § 125.00.13



Dead Animal Disposal

- Poultry carcasses can be disposed of the following ways in Arkansas:
 - Cremation or incineration
 - Composting
 - Extrusion
 - Rendering
 - Cooking for swine feed
 - On-farm freezing

ARK. CODE R. § 125.00.7



Slaughter and Processing

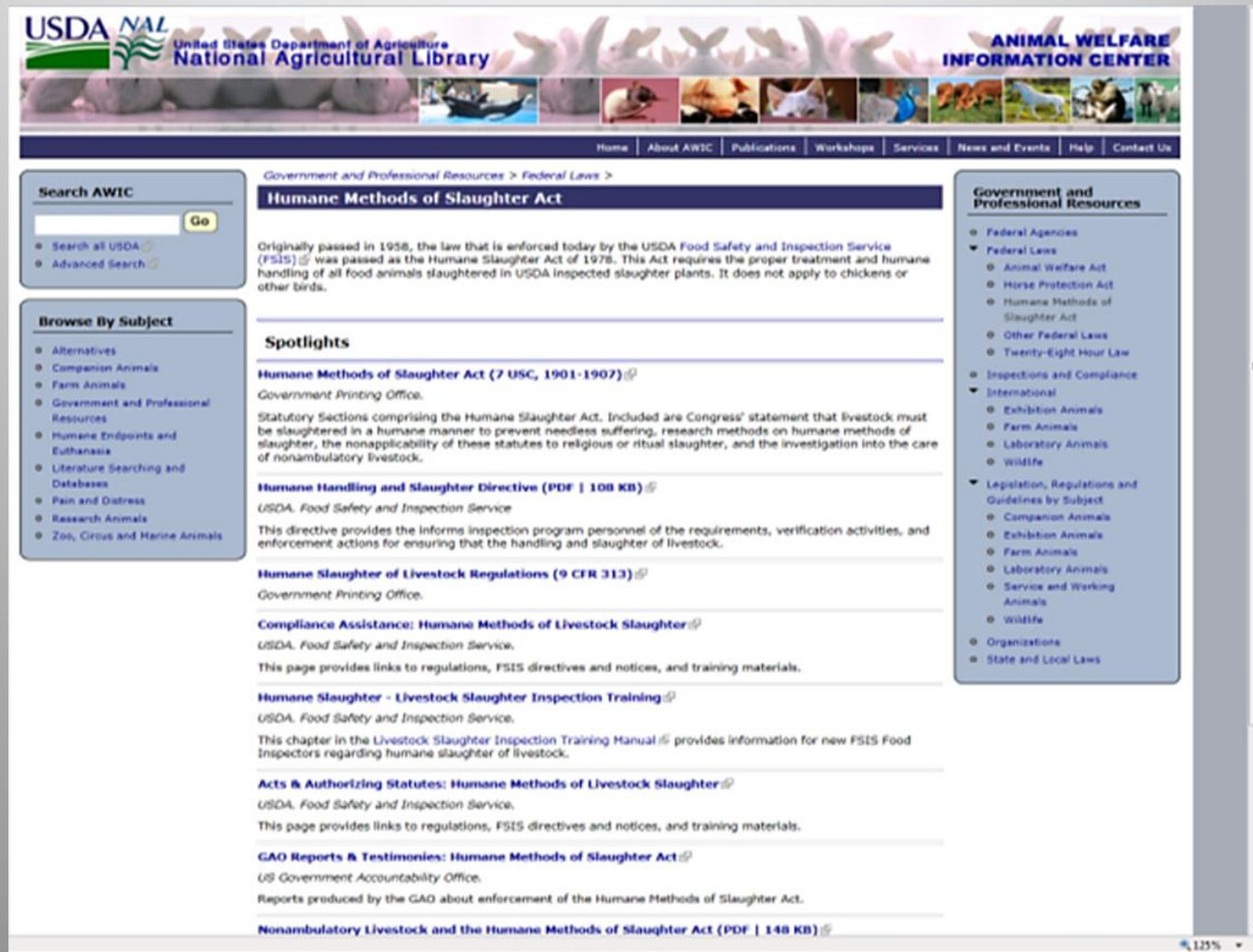


Slaughter & Processing Issues Overview

Each of these issues will be explored in the following slides:

- Application of the Humane Slaughter Act
- Inspections required for the slaughter process
- Exemptions to the required inspections
- Labeling requirements
- Requirements for specialty meat and poultry products

Visit the USDA- Animal Welfare Information Center for specific information on the different animal species
<http://awic.nal.usda.gov/government-and-professional-resources/federal-laws/humane-methods-slaughter-act>



USDA NAL United States Department of Agriculture National Agricultural Library

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Humane Methods of Slaughter Act

Originally passed in 1958, the law that is enforced today by the USDA Food Safety and Inspection Service (FSIS) was passed as the Humane Slaughter Act of 1978. This Act requires the proper treatment and humane handling of all food animals slaughtered in USDA inspected slaughter plants. It does not apply to chickens or other birds.

Spotlights

Humane Methods of Slaughter Act (7 USC, 1901-1907)

Government Printing Office.

Statutory Sections comprising the Humane Slaughter Act. Included are Congress' statement that livestock must be slaughtered in a humane manner to prevent needless suffering, research methods on humane methods of slaughter, the nonapplicability of these statutes to religious or ritual slaughter, and the investigation into the care of nonambulatory livestock.

Humane Handling and Slaughter Directive (PDF | 108 KB)

USDA, Food Safety and Inspection Service

This directive provides the informs inspection program personnel of the requirements, verification activities, and enforcement actions for ensuring that the handling and slaughter of livestock.

Humane Slaughter of Livestock Regulations (9 CFR 313)

Government Printing Office.

Compliance Assistance: Humane Methods of Livestock Slaughter

USDA, Food Safety and Inspection Service.

This page provides links to regulations, FSIS directives and notices, and training materials.

Humane Slaughter - Livestock Slaughter Inspection Training

USDA, Food Safety and Inspection Service.

This chapter in the Livestock Slaughter Inspection Training Manual provides information for new FSIS Food Inspectors regarding humane slaughter of livestock.

Acts & Authorizing Statutes: Humane Methods of Livestock Slaughter

USDA, Food Safety and Inspection Service.

This page provides links to regulations, FSIS directives and notices, and training materials.

GAO Reports & Testimonies: Humane Methods of Slaughter Act

US Government Accountability Office.

Reports produced by the GAO about enforcement of the Humane Methods of Slaughter Act.

Nonambulatory Livestock and the Humane Methods of Slaughter Act (PDF | 148 KB)

Government and Professional Resources

- Federal Agencies
- Federal Laws
 - Animal Welfare Act
 - Horse Protection Act
 - Humane Methods of Slaughter Act
 - Other Federal Laws
 - Twenty-Eight Hour Law
- Inspections and Compliance
- International
 - Exhibition Animals
 - Farm Animals
 - Laboratory Animals
 - Wildlife
- Legislation, Regulations and Guidelines by Subject
 - Companion Animals
 - Exhibition Animals
 - Farm Animals
 - Laboratory Animals
 - Service and Working Animals
 - Wildlife
- Organizations
- State and Local Laws

Humane Slaughter Act

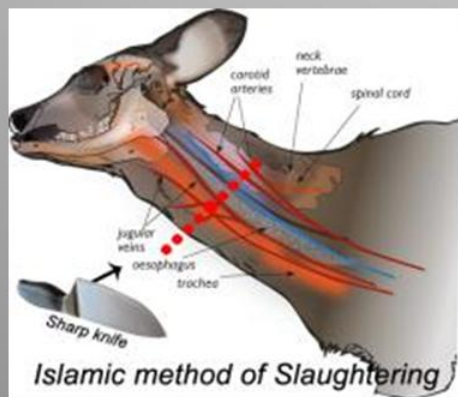
- The Humane Slaughter Act, 7 U.S.C § 1902, is a federal law that requires all animals to be stunned unconscious before they are slaughtered
 - The Act applies to the slaughter of sheep, goats, pigs, and cattle.
 - Poultry are specifically excluded from the Act
- Typical stunning methods are:
 - For hogs, electrocution or CO2 gas
 - For cattle, sheep, and goats, captive bolt gun



Captive bolt gun

Humane Slaughter Act

- The Act also excludes any animal slaughtered in accordance with religious law
 - For Judaism, this would allow for kosher meat products.
 - For Islam, this would allow for Halal meat products
 - The animal's slaughter must be done in accordance with each religion's law in order to meet the exception
- Humane slaughter practices are required in all slaughter facilities inspected by USDA



Federal and State Inspections

- Slaughter and processing facilities must comply with federal and state inspections and licensing requirements
- For federal inspections and licenses, USDA's Food Safety and Inspection Service (FSIS) oversees these inspections and licenses
- For state inspections and licenses, the Arkansas Department of Health (ADH) would oversee the state inspections & licenses
 - Currently in Arkansas, no plant is state-only inspected, but a mixture of federal and state inspection
 - In Arkansas, FSIS has subcontracted all federal inspection duties to ADH



Federal and State Inspections

- Not all meat is considered “meat” under federal regulations
 - “Meat” includes beef, pork, sheep, and goat
 - Poultry is considered separate from regulations dealing with the slaughter and processing of “meat”
- Meat and poultry inspection regulations will be examine separately in the following slides



Meat Inspections

- Because FSIS has subcontracted to ADH for federal inspections, all facilities are certified and inspected according to federal standards
 - Use the Federal Meat Inspection Act, 21 U.S.C. §§ 601-695, and accompanying regulations at 9 C.F.R. Parts 300-599
 - If the producer is going to slaughter and process their own pigs, cattle, sheep, or goats, the facility must meet the federal standards
- The facility will have to be approved for each type of animal the producer wants to slaughter
 - For example, if the producer wants to slaughter goats and sheep, the facility will have to be approved for both goats and sheep



Lamb chops

Meat Inspections

Federal standards for facilities:

- Facilities for different functions need to be kept separate to prevent contamination
 - For example, the facilities to hold live animals should be separate from slaughter facilities and butchering facilities should be kept separate from slaughter facilities
- Facilities need to be well lit
- Equipment and facilities need to be easy to wash and disinfect
- All equipment must be appropriate to be used on the animal being slaughtered and butchered



Meat Inspection

- FSIS will inspect all animals in the slaughterhouse before slaughter and after slaughter to insure the animals and the carcasses are healthy and sound
- USDA's Ag Marketing Service (AMS) will grade the carcasses upon the request of the processor
 - AMS charges to grade the carcasses
 - FSIS does not charge for the mandatory inspection process.
 - The carcass grading varies between livestock types and are typically graded on the quality of the carcass



Meat Inspections

Each facility is required to develop a “Sanitary Standard Operating Procedures” (SSOP) plan and “Hazard Analysis and Critical Control Point” (HACCP) plan

SSOP – A written plan developed by the facility and implemented to prevent direct contamination and adulteration of the product through the various slaughtering and butchering processes

- This plan should stay on file with the facility
- If FSIS find the SSOP plan to be lacking, then the facility must take corrective actions to maintain compliance



Meat Inspection

HACCP plans are systematic approaches to food safety that address the hazards in the slaughter and butchering processes and look for preventive methods to avoid those hazards from occurring

- For example, one area of a HACCP plan would be the disinfecting and cleaning of surfaces and equipment to prevent *E. coli* contamination
- Each facility will need its own HACCP plan on file at the facility

A producer looking at processing their own meat products to sell to consumers may want to consider looking at HACCP and SSOP workshops organized by Dr. John Marcy with the Poultry Science Department at the University of Arkansas for a better understanding for how to develop these plans



Exception to Meat Inspection

- Sell the live animal to customer for custom slaughter and processing
- Federal rules for inspection do not apply to facilities that process a third party's animal for the third party's personal consumption
- The plant must still have SSOP and HACCP plans and be inspected periodically
- The producer can simply sell the animal to the consumer over the phone then ship to the processor or let the consumer pick out their animal for processing



Poultry Inspection

- Poultry inspection is governed by the *Federal Poultry and Poultry Products Inspection Act* (21 U.S.C. §§ 451-471)
- This Act requires all poultry slaughtering and processing facilities to be inspected
- Poultry slaughtering and processing facilities will also be required to have a SSOP and a HACCP plan.



Poultry Inspection

- In Arkansas, FSIS conducts all poultry inspections and not ADH
 - The Poultry Inspection Act allows states to set up their own inspection programs but at this time Arkansas has not implemented a program
 - Unlike with Federal Meat Inspection Act, the Poultry Inspection Act provides more than one exception to mandatory inspections.



Poultry Inspection Exemptions

- Exemptions to the Poultry Inspection Act:

1. Poultry producer's own use
2. Custom slaughter/processing
3. 1,000 poultry limit
4. 20,000 poultry limit
5. Poultry Producer/Grower or Other Person
6. Small Enterprise Exemption
7. Retail Exemption



- FSIS provides guidance to help growers understand if they met any of the Exemptions. See http://www.fsis.usda.gov/oppde/rdad/fsisnotices/poultry_slaughter_exemption_0406.pdf

Poultry Inspection Exemptions

- The typical exemptions that a poultry producer will fall under are:
 - Poultry producer's own use
 - Custom slaughter/processing
 - 1,000 poultry limit; and
 - 20,000 poultry limit
- The other three exemptions are less likely to be used by a poultry producer and will not be discussed in these slides, but these three exemptions are explained in the FSIS Guidance

Producer's Own Use

- This exemption occurs when the farmer, owner, or grower of the poultry, slaughters and processes the poultry for their own personal use
- Poultry slaughtered and processed under this exemption must be:
 - For the private use of the owner/grower of the poultry, the owner/grower's family, nonpaying guests, or employees
 - Animals are healthy for slaughter
 - Processed under sanitary conditions
 - Not be donated or sold for use as human food

Custom Slaughter/Processing

- With this exemption, a processor is providing a service to the owner/grower of poultry – includes a mobile slaughtering unit
- To qualify for this exemption, the custom slaughter/ processing facility:
 - Can sell live poultry
 - Can not be engaged in selling poultry products, meaning any poultry carcass or part of the carcass, capable of human consumption
 - That is , that the processor could sell a live bird to a buyer then slaughter the bird and fall under this exception
 - Poultry is healthy when slaughtered
 - Slaughtered and processed in sanitary conditions

1,000 Limit For Producer/Grower

- A producer/grower can slaughter no more than 1,000 poultry per calendar year and be exempt from federal inspection requirements
- To qualify for this exception the producer/owner must:
 - Only slaughter/process no more than 1,000 healthy birds that the producer/owner
 - The grower can only buy and sell those poultry products produced from the grower's poultry
 - Slaughter and processing are done in clean and sanitary conditions
 - Producer/grower keeps all necessary records to help FSIS enforce the exception
 - The poultry can only be sold in-state and not across state lines



20,000 Limit For Producer/Grower

To qualify for this exemption the producer/grower must:

- 1 Slaughter/process no more than 20,000 poultry in a calendar year raised by the grower/producer
- 2 Sell only poultry products from the 20,000 poultry and not buy or sell poultry produced under another exception in the same calendar year
- 3 Poultry products produced are solely distributed in the state where produced
- 4 Poultry was healthy at slaughter and slaughtered and processed in sanitary conditions
- 5 Producer/grower only distributes poultry products produced under this exception. For example, a producer could not provide custom slaughter/processing and also claim this exception
- 6 Slaughter facility is not used to process poultry for another person
- 7 A producer/grower using the 20,000 poultry limit exemption may sell to:
 - Household consumers
 - Hotels
 - Retail Stores (such as grocery stores or supermarkets)
 - Restaurants and other similar institutions



Poultry Inspection Exemptions

Each of the 4 exemptions discussed will require that the shipping containers used to distribute the poultry products in-state to bear the following label:

- Poultry producer's name;
- Poultry producer's address; and
- The statement "Exempt P.L. 90-492"
 - P.L. 90-492 means the Poultry Inspection Act
- Safe Handling Instructions.

Summary Table of Exemptions and Limitations					
Criteria	Custom	Producer/Grower - 1,000 Bird Limit	Producer/Grower - 20,000 Bird Limit	Producer/Grower or Other Person - 20,000 Bird Limit	Small Enterprise
Slaughter Limit	NO LIMIT	YES - 1,000 PER CALENDAR YEAR	YES - 20,000 PER CALENDAR YEAR	YES - 20,000 PER CALENDAR YEAR	YES - 20,000 PER CALENDAR YEAR
Further Processing	YES	YES	YES	YES	CUT UP ONLY
Sell to Home Consu	NO	YES	YES	YES	YES
Sell to any HRI*	NO	YES	YES	NOT TO ALL HRIs**	YES
Sell to Distributor	NO	YES	YES	NO	YES
Sell to Retail Store	NO	YES	YES	NO	YES
Inter-State Sale	NO	NO	NO	NO	NO
Buy Live Birds from Farmers for Processing and Sell Back for Distribution by Farmers (or others).***	NO	NO	NO	NO	YES
*HRI = Hotels, Restaurants, and Institutions					
**Product produced under the Producer/Grower or Other Person Exemption may not be sold to institutions.					
*** Restrictions apply, see below for further details.					

Fitzgerald et al, 2011

Safe Handling Instructions

Example

Safe Handling Instructions

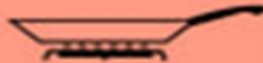
This product was prepared from inspected and passed meat and/or poultry. Some food products may contain bacteria that could cause illness if the product is mishandled or cooked improperly. For your protection, follow these safe handling instructions.



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.

Limitations to the Exemption

- A poultry producer may only claim one exemption to operate under
 - A poultry producer may use any exemption they qualify for
 - But, the poultry producer can not operate under more than one exemption simultaneously
 - Pick the exemption that will work best for your business and meet all of your business needs
- FSIS will check to make sure you qualify for the exemption you claim



Limitations to the Exemption

- Qualifying for and using an exemption only exempts the poultry producer from requiring the presence of FSIS inspectors during the slaughter and processing of poultry products
- You will still need to have HACCP and SSOP plans for the facilities
- Poultry producers will need to insure:
 - All poultry is healthy when slaughtered
 - Slaughter, processing, transportation are done in sanitary and healthy ways to ensure the poultry products are fit for human food
 - Need to be labeled so consumer knows the poultry product is exempt from FSIS inspection



Labeling

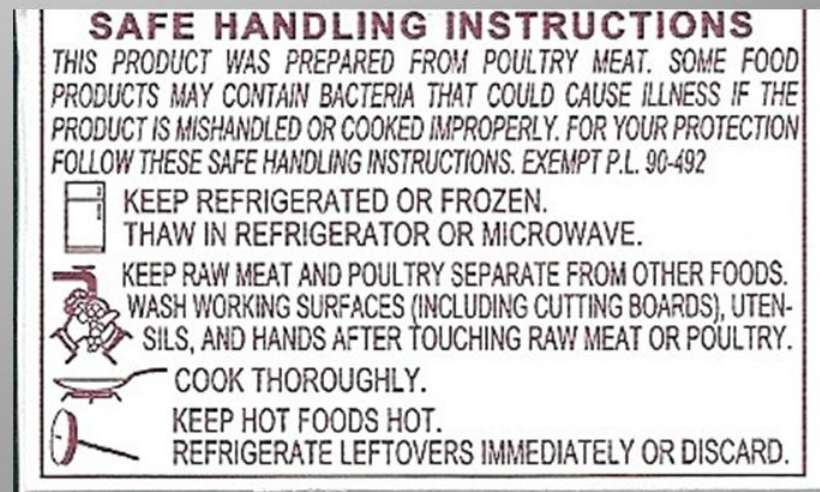
- FSIS is the agency in charge of regulating labeling in meat and poultry
- Labeling means “all labels and other written, printed or graphic matter (1) upon any article or any of its containers or wrappers, or (2) accompanying such article.” 21 U.S.C. § 601(p) or 21 U.S.C. § 453(s)
- This broad definition gives FSIS the authority to regulate not only the label on the meat or poultry product but any accompanying materials.



Labeling

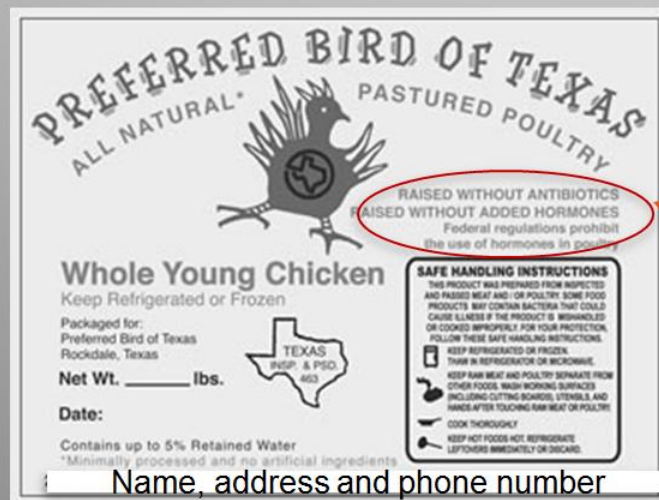
9 C.F.R. 317.2/381 Subpart N requires that a label include 8 features:

1. Product name
2. Inspection legend and establishment number
3. Handling statement
4. Net Weight Statement
5. Ingredients Statement
6. Address Line
7. Nutrition facts
8. Safe handling instructions



Labeling

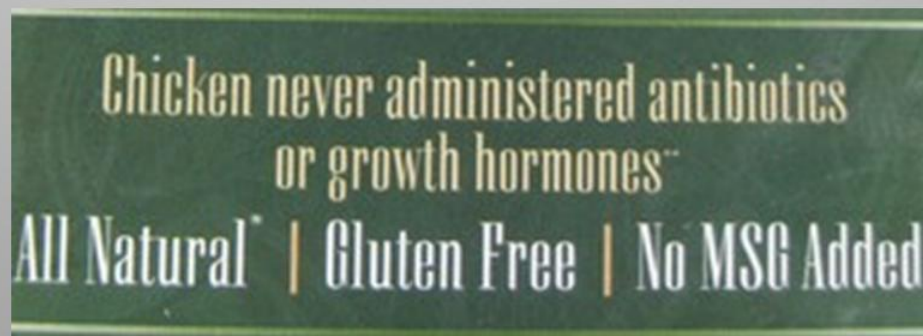
- FSIS requires all labels to be approved before they are used
 - A producer can simply submit a sketch of the label to FSIS; or
 - Use a preapproved generic label that has no special claims such as quality, health claims or negative claims. This is one way to side step the preapproval process
- FSIS provides labeling guidance and changes to any regulations involving meat and poultry labeling on its website. A producer should not be afraid to check out FSIS's website for accurate and up-to-date information



Label provides all the correct information, but includes a claim that states that the birds are raised without hormones. This is not allowed

Labeling Claims

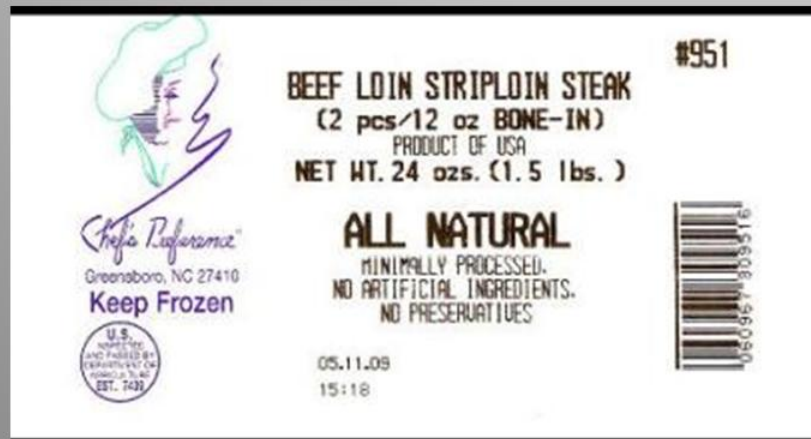
- If the producer does decide to make certain claims about their products, they could use a claim such as free range, organic or antibiotic free depending with their specific production system
- FSIS provides current information on each claim on their website and the website should be consulted to avoid making illegal or incorrect claims on the label



Labeling Claims

Natural

- It means “[a] product containing no artificial ingredient or added color and is only minimally processed. Minimal processing means that the product was processed in a manner that does not fundamentally alter the product. The label must include a statement explaining the meaning of the term natural (such as “no artificial ingredients; minimally processed”)”



Labeling Claims

Organic

- It means a product grown in accordance with NOP standards.
 - NOP the federal framework to regulate the growing of organic commodities by a uniform group of standards.



Antibiotic Free Label

Antibiotic Free

Need sufficient documentation to show that the animals were raised without the use of antibiotics.



Labeling Claims

Hormone Free

- It is used mainly with marketing of beef that no hormones were used in the raising of the cattle
- No hormones are allowed or used in poultry production and thus this claim is not approved



Labeling

Grass Fed

- It means the animal has had access to grass, forbs, or cereal or grain crops in their pre-grain state. The animal can not be fed grains or a grain byproduct at any point during its life

Free Range

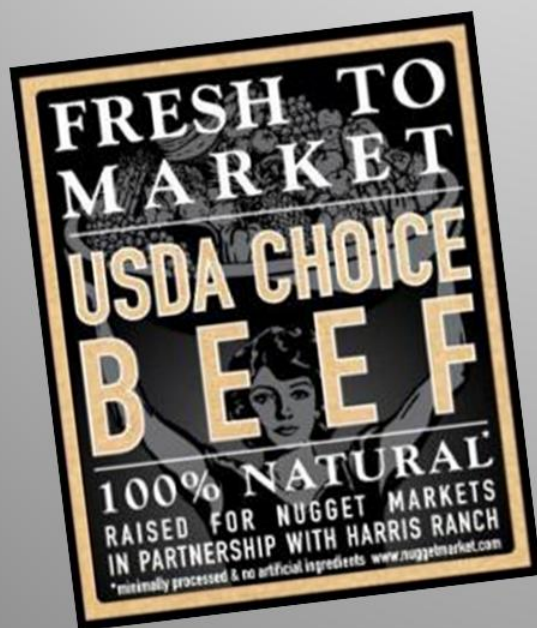
- It means the poultry has had access to the outdoors and producer has records to prove this



Labeling Claims

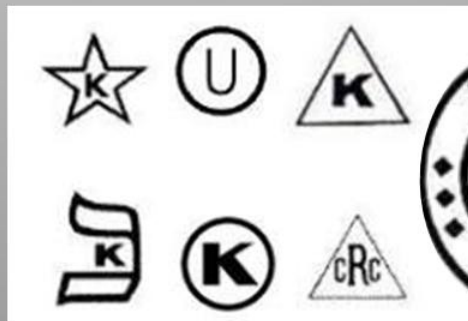
Fresh

- It means that the product has never had an internal temperature of less than 20°F



Religious Labeling Claims

- Certain religions require animals to be slaughtered in appropriate ways for that religions dietary laws
 - For example, the meat should be slaughtered according to Kosher standards in order to be suitable for Jewish dietary laws
- Religious labeling claims include:
 - Kosher to qualify for Jewish dietary law
 - Halal to qualify for Islamic laws



Religious Labeling Claims

FSIS does not certify that meat or poultry products were prepared in accordance with certain religious law

- FSIS only accepts the statements of the religious official doing the slaughtering that religious laws were complied with

Kosher

- A person trained in Jewish slaughter requirements must slaughter the animal

Halal

- A practitioner of Islam must perform the slaughter ritual



Arkansas's Law on Kosher Products

- Retailers in Arkansas that advertise both kosher and non-kosher meats must meet three requirements:
 1. Display signs in their windows with lettering at least 4-inches high
 2. Indicating both kosher and non-kosher meats for sell
 3. Need to identify which meat is kosher and which meat is non-kosher

ARK CODE § 20-57-401



Summary

- Direct sales by farmers is a growing market for farmers to consider entering
- Farmers considering entering the direct sales market will have to consider many issues that impact traditional agricultural commodity producers:
 - Farmers will want to make sure their farm insurance policies cover food safety and other issues that could arise from direct sales marketing
 - Farmers will need to develop SSOP and HACCP plans and comply with any labeling laws when applicable



Summary

- Producers will need to meet FSIS continuous inspection requirements, unless they are producing under an exemption
 - For meat, the only exemption is custom slaughtering
 - For poultry, the important ones for the producer to remember are personal use, custom slaughter, and 1,000 and 20,000 poultry limits
 - The producer will only be able to operate under one exemption in a calendar year



Summary

- Producers will need to have all labels for meat and poultry products preapproved by FSIS before using the label
 - FSIS does have generic labeling that the producer can use without first seeking preapproval
- Any claims made on the label about growing practices or health claims will need to meet FSIS requirements before the claim can be used
- Claims that the product is Kosher or meets Halal will need to be done according to the religious law
 - FSIS does not monitor this process and only takes the word of a religious certifier that the appropriate procedures were followed

Additional Sources

Tarr, Endres, Endres, & Johnson. <i>Arkansas Direct Farm Business Guide</i> .	http://nationalaglawcenter.org/assets/articles/tarr_directfarm.pdf
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This presentation was prepared by:



Dale Bumpers College of Agricultural, Food and Life Sciences and the
Division of Agriculture; University of Arkansas, Fayetteville

H.L. Goodwin, Jr.
Nathan Kemper
Ixchel Reyes Herrera
Sandy Martini
L. Paul Goeringer
Dan Donoghue



Poultry Production and Product Safety Research Unit, ARS, USDA
Annie Donoghue

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