

R58. Agriculture and Food, Animal Industry.

R58-11. Slaughter of Livestock and Poultry.

R58-11-1. Authority.

Promulgated under authority of Section 4-32-8.

R58-11-2. Definitions.

- (1) "Adulterated" means as defined in Section 4-32-3(1).
- (2) "Bill of Sale for Hides" means a hide release or some other formal means of transferring the title of hides.
- (3) "Business" means an individual or organization receiving remuneration for services.
- (4) "Commissioner" means the Commissioner of Agriculture or his representative.
- (5) "Custom Slaughter-Release Permit" means a permit that will serve as a brand inspection certificate and will allow animal owners to have their animals farm custom slaughtered.
- (6) "Department" means the Utah Department of Agriculture and Food.
- (7) "Detain or Embargo" means the holding of a food or food product for legal verification of adulteration, misbranding or proof of ownership.
- (8) "Emergency Slaughter" means for the purpose of this chapter that Emergency Slaughter is no longer allowed for non-ambulatory injured cattle. Non-ambulatory disabled cattle that cannot rise from a recumbent position or cannot walk, including, but not limited to, those with broken appendages, severed tendons or ligaments, nerve paralysis, fractured vertebral column or metabolic conditions, are not allowed to be slaughtered for food.
- (9) "Farm Custom Slaughtering" means the slaughtering, skinning and preparing of livestock and poultry by humane means for the purpose of human consumption which is done at a place other than a licensed slaughtering house by a person who is not the owner of the animal.
- (10) "Food" means a product intended for human consumption.
- (11) "Immediate Family" means persons living together in a single dwelling unit and/or their sons and daughters.
- (12) "License" means a license issued by the Utah Department of Agriculture and Food to allow farm custom slaughtering.
- (13) "Licensee" means a person who possesses a valid farm custom slaughtering license.
- (14) "Misbranded" means as defined in Section 4-32-3(27).
- (15) "Owner" means a person holding legal title to the animal.

R58-11-3. Registration and License Issuance.

- (1) Farm Custom Slaughtering License.
 - (a) Any person or person desiring to do farm custom slaughtering shall apply to the Department. Such application for a license will be made on a department form for a Farm Custom Slaughter License. The form shall show the name, address and telephone number of the owner, the name, address and telephone number of the operator if it is different than the owner, a brief description of the vehicle and the license number. Licenses will be valid for the calendar year (January 1 to December 31). Each licensee will be required to re-apply for a license every calendar year. Change of ownership or change of vehicle license will require a new application to be filed with the Department.
 - (b) Registration will not be recognized as complete until the applicant has demonstrated his ability to slaughter and has completed and signed the registration form.

- (c) A fee must be paid prior to license issuance.

R58-11-4. Equipment and Sanitation Requirements.

- (1) Unit of vehicle and equipment used for farm custom slaughtering:
 - (a) The unit or vehicle used for farm custom slaughtering shall be so constructed as to permit maintenance in a clean, sanitary manner.
 - (b) A tripod or rail capable of lifting a carcass to a height which enables the carcass to clear the ground for bleeding and evisceration must be incorporated into the unit or vehicle. Hooks, gambles, or racks used to hoist and eviscerate animals shall be of easily cleanable metal construction.
 - (c) Knives, scabbards, saws, etc. shall be of rust resistant metal or other impervious easily cleanable material.
 - (i) A clean dust proof container shall be used to transport and store all instruments and utensils used in slaughtering animals.
 - (d) A water tank shall be an integral part of the unit or vehicle. It shall be of approved construction with a minimum capacity of 40 gallons. Water systems must be maintained in a sanitary manner and only potable water shall be used.
 - (e) A tank (for sanitizing) large enough to allow complete emersion of tools used for slaughtering must be filled during slaughter operations with potable water and maintained at a temperature of at least 180 degrees Fahrenheit. In lieu of 180 degrees Fahrenheit water, chemical sterilization may be used with an approved chemical agent after equipment has been thoroughly cleaned. Chloramine, hypochloride, and quaternary ammonium compounds or other approved chemical compounds may be used for this purpose and a concentration must be maintained at sufficient levels to disinfect utensils. Hot water, cleaning agents, and disinfectant shall be available at all times if chemicals are used in lieu of 180 degrees Fahrenheit water.
 - (f) Cleaning agents and paper towels shall be available so hands and equipment may be cleaned as needed.
 - (g) Aprons, frocks and other outer clothing worn by persons who handle meat must be clean and of material that is easily cleanable.
 - (h) All inedible products and offal will be denatured with either an approved denaturing agent or by use of pounce material as a natural denaturing agent.
 - (i) When a licensee transports uninspected meat to an establishment for processing, he shall:
 - (i) do so in a manner whereby product will not be adulterated or misbranded, and/or mislabeled; and
 - (ii) transport the meat in such a way that it is properly protected; and
 - (iii) deliver carcasses in such a way that they shall be placed under refrigeration within one hour of time of slaughter (40 degrees F).
 - (j) Sanitation.
 - (i) Unit or Vehicle.
 - (A) The unit or vehicle must be thoroughly cleaned after each daily use.
 - (B) All food-contact and non-food contact surfaces of utensils and equipment must be cleaned and sanitized as necessary to prevent the creation of insanitary conditions and the adulteration of carcasses and parts.
 - (C) Carcasses must be protected from adulteration during processing, handling, storage, loading, unloading and during transportation to processing establishments.

(ii) Equipment.

(A) All knives, scabbards, saws and all other food contact surfaces shall be cleaned and sanitized prior to slaughter and as needed to prevent adulteration.

(B) Equipment must be cleaned and sanitized after each slaughter and immediately before each slaughter.

(iii) Inedibles.

(A) Inedibles shall be placed in designated containers and be properly denatured, and the inedible containers must be clearly marked (Inedible Not For Human Consumption in letters not less than 4 inches in height).

(B) Containers for inedibles shall be kept clean and properly separated from edible carcasses to prevent adulteration.

(iv) Personal Cleanliness.

(A) Adequate care shall be taken to prevent contamination of the carcasses from fecal material, ingesta, milk, perspiration, hair, cosmetics, medications and similar substances.

(B) Outer clothing worn by permittee shall, while handling exposed carcasses, be clean.

(C) No licensee with a communicable disease or who is a disease carrier or is infected with boils, infected wounds, sores or an acute respiratory infection shall participate in livestock slaughtering.

(D) Hand wash facilities shall be used as needed to maintain good personal hygiene.

R58-11-5. Slaughtering Procedures of Livestock.

(1) Slaughter Area

(a) Slaughtering shall not take place under adverse conditions (such as blowing dirt, dust or in mud).

(b) If a slaughter area is used for repeated kills, the area should be maintained to prevent blood from collecting, running off on to adjacent property, or contaminating water sources.

(c) Hides, viscera, blood, pounce material, and all tissues must be removed and disposed at a rendering facility, landfill, composting or by burial as allowed by law.

(2) Humane Slaughter - Animals shall be rendered insensible to pain by a single blow, or gun shot or electrical shock or other means that is instantaneous and effective before being shackled, hoisted, thrown, cast or cut.

(3) Hoisting and Bleeding - Animals shall be hoisted and bled as soon after stunning as possible to utilize post-stunning heart action and to obtain complete bleeding. Carcasses shall be moved away from the bleeding area for skinning and butchering.

(4) Skinning - Carcass and head skin must be handled without neck tissue contamination. This may be done by leaving the ears on the hide and tying the head skin. Feet must be removed before carcass is otherwise cut. Except for skinning and starting skinning procedures, skin should be cut from inside outward to prevent carcass contamination with cut hair. Hair side of hide should be carefully rolled or reflected away from carcass during skinning.

When carcass is moved from skinning bed, caution should be taken to prevent exposed parts from coming in contact with adulterating surfaces.

(5) Evisceration - Before evisceration, rectum shall be tied to include bladder neck and to prevent urine and fecal leakage. Care should also be taken while opening abdominal cavities to prevent carcass and/or viscera contamination.

(6) Carcass washing - Hair, dirt and other accidental contamination should be trimmed

prior to washing. Washing should proceed from the carcass top downward to move away any possible contaminants from clean areas.

R58-11-6. Identification and Records.

(1) Livestock Identification - Pursuant to requirements of Section 4-24-13, it shall be unlawful for any license holder to slaughter livestock which do not have a Brand Inspection Certificate or Farm Custom Slaughter Tag filled out at time of slaughter.

(a) Animal owners must have a Brand Inspection Certificate for livestock intended to be farm custom slaughtered, issued by a Department Brand Inspector prior to slaughter, paying the legal brand inspection fee and beef promotion fee. This will be accomplished by the animal owner contacting a Department Brand Inspector and obtaining a Brand Inspection Certificate (Custom Slaughter-Release Permit).

(b) Animal owners must also obtain farm custom slaughter identification tags from a Department Brand Inspector for a fee of \$1 each. These tags will be required on beef, pork, and sheep.

(2) Records.

(a) The Custom Slaughter-Release Permit or Farm Custom Slaughter Tag will record the following information:

(i) An affidavit with a statement that shall read "I hereby certify ownership of this animal to be slaughtered by (name). I fully understand that having my animal farm custom slaughtered means my animal will not receive meat inspection and is for my use, the use of my immediate family, non-paying guests, or full-time employees. The carcass will be stamped "NOT FOR SALE" and will not be sold." This statement must be signed by the owner or designee.

(ii) In addition to this affidavit, the following information will be recorded:

(A) date;

(B) owner's name, address and telephone number;

(C) animal description including brands and marks;

(D) Farm Custom Slaughter tag number.

(b) The Farm Custom Slaughter tag must record the following information:

(i) date;

(ii) owner's name, address and telephone number;

(iii) location of slaughter;

(iv) name of licensee;

(v) licensee permit number; and

(vi) carcass destination.

(c) Prior to slaughter the licensee shall:

(i) Prepare the Farm Custom Slaughter tag with complete and accurate information;

(A) One tag shall stay in the license holder's file for at least one year.

(B) One tag plus a copy of the Farm Custom Slaughter-Release Permit shall be sent into the Department by the 10th of each month for the preceding month's slaughter by the licensee.

(C) After slaughter, all carcasses must be stamped "NOT FOR SALE" on each quarter with letters at least 3/8" in height; further, a Farm Custom Slaughter "NOT FOR SALE" tag must be affixed to each quarter of beef and each half of pork and sheep.

(D) Hide Purchase - Licensee receiving hides for slaughtering services must obtain a copy of the Custom Slaughter-Release Permit to record transfer of ownership as required by Section 4-24-18.

R58-11-7. Poultry Slaughter.

- (1) Personal Use Exemption.
 - (a) A person who raises poultry may slaughter and or process the poultry if:
 - (i) slaughtering or processing poultry is not prohibited by local ordinance;
 - (ii) the poultry product derived from the slaughtered poultry is consumed exclusively by the person or the person's immediate family, regular employees of the person, or nonpaying guests;
 - (iii) the slaughtering and processing of the poultry is performed only by the owner or an employee;
 - (iv) the poultry is healthy when slaughtered;
 - (v) the exempt poultry is not sold or donated for use as human food; and
 - (vi) the immediate containers bear the statement, "NOT FOR SALE".
 - (2) Farm Custom Slaughter/Processing
 - (a) A person may slaughter and or process poultry belonging to another person if:
 - (i) the person holds a valid farm custom slaughter license issued by the department;
 - (ii) slaughtering or processing poultry is not prohibited by local ordinance;
 - (iii) the licensee does not engage in the business of buying or selling poultry products capable for use as human food;
 - (iv) the poultry is healthy when slaughtered;
 - (v) the slaughtering and or processing is conducted in accordance with sanitary standards, practices, and procedures that produce poultry products that are sound, clean, and fit for human food;
 - (vi) the unit or vehicle used for farm custom slaughtering shall be so constructed as to permit maintenance in a clean and sanitary manner;
 - (A) the immediate containers bear the following information:
 - (B) the owner's name and address;
 - (C) the licensee's name and address, and;
 - (D) the statement, "NOT FOR SALE".
 - (3) Producer/Grower 1,000 Bird Limit Exemption
 - (a) A poultry grower may slaughter no more that 1,000 birds of his or her own raising in a calendar year for distribution as human food if:
 - (i) the person holds a valid poultry exemption license issued by the department;
 - (ii) slaughtering or processing poultry is not prohibited by local ordinance;
 - (iii) the poultry grower does not engage in buying or selling poultry products other than those produced from poultry raised on his or her own farm (includes rented or leased property);
 - (iv) the slaughtering and or processing is conducted in a approved establishment and in accordance with sanitation performance standards, and procedures that produce poultry products that are sound, clean, and fit for human food;
 - (v) the producer keeps slaughter records and records covering the sales of poultry products to customers for the current calendar year,
 - (vi) is for distribution directly to household consumers, retail establishments, restaurants, hotels, and boarding houses for use in their dining rooms or in the preparation of meals sold directly to consumers within the jurisdiction where it is prepared; and
 - (vii) the immediate containers bear the following information:
 - (A) name of product;

- (B) ingredients statement (if applicable);
 - (C) net weights statement;
 - (D) name and address of processor;
 - (E) Safe food handling statement;
 - (F) date of package and/or Lot number, and;
 - (G) the statement "Exempt R58-11-7(C)".
- (4) Producer/Grower 20,000 Bird Limit Exemption
- (a) A poultry grower may slaughter no more than 20,000 birds of his or her own raising in a calendar year for distribution as human food if;
 - (i) the person holds a valid poultry exemption license issued by the department;
 - (ii) slaughtering or processing poultry is not prohibited by local ordinance;
 - (iii) the poultry grower does not engage in buying or selling poultry products other than those produced from poultry raised on his or her own farm (includes rented or leased property);
 - (iv) the slaughtering and or processing is conducted in a fixed establishment and in accordance with sanitary standards, practices, and procedures that produce poultry products that are sound, clean, and fit for human food;
 - (v) the producer keeps slaughter records and records covering the sales of poultry products to customers for the current calendar year,
 - (vi) is for distribution to household consumers, retail establishments, restaurants, hotels, and boarding houses for use in their dining rooms or in the preparation of meals sold directly to consumers within the jurisdiction where it is prepared; and
 - (vii) the immediate containers bear the following information:
 - (A) name of product;
 - (B) ingredients statement (if applicable);
 - (C) net weights statement;
 - (D) name and address of processor;
 - (E) Safe food handling statement;
 - (F) date of package and/or Lot number, and;
 - (G) the statement "Exempt R58-11-7(4)".
- (5) Producer/Grower or Other Person Exemption
- (a) The term "Producer/Grower or Other Person" in this section means a single entity, which may be:
 - (i) A poultry grower who slaughters and processes poultry that he or she raised for sale directly to household consumers, restaurants, hotels, and boarding houses to be used in those homes and dining rooms for the preparation of meals served or sold directly to customers.
 - (ii) A person who purchases live poultry from a grower and then slaughters these poultry and processes such poultry for sale directly to household consumers, restaurants, hotels, and boarding houses to be served in those homes or dining rooms for the preparation of meals sold directly to customers.
 - (b) A business may slaughter and process poultry under this exemption if;
 - (i) the person holds a valid poultry exemption license issued by the department;
 - (ii) slaughtering or processing poultry is not prohibited by local ordinance;
 - (iii) the producer/grower or other person slaughters for processing and sale directly to household consumers, restaurants, hotels, and boarding houses for use in dining rooms or in the preparation of meals sold directly to customers;
 - (iv) the producer/grower or other person slaughters no more than 20,000 birds in a

calendar year that the producer/grower or other person raised or purchased;

(v) the producer/grower or other person does not engage in the business of buying or selling poultry or poultry products prepared under an other exemptions in the same calendar year he or she claims the Producer/Grower or Other Person Exemption;

(vi) the processing is limited to preparation of poultry products from poultry slaughtered by the Producer/Grower or Other Person for distribution directly to: 1) household consumers, 2) restaurants, 3) hotels, and 4) boarding houses for use in their dining rooms or in the preparation of meals sold directly to consumers within the jurisdiction were it is prepared;

(vii) the slaughtering and or processing is conducted in a fixed establishment and in accordance with sanitary standards, practices, and procedures that produce poultry products that are sound, clean, and fit for human food;

(viii) the producer keeps slaughter records and records covering the sales of poultry products to customers for the current calendar year, and;

(ix) the immediate containers bear the following information:

(A) name of product;

(B) ingredients statement (if applicable);

(C) net weights statement;

(D) name and address of processor;

(E) safe food handling statement;

(F) date of package and/or Lot number, and;

(G) the statement "Exempt R58-11-7(5)".

(c) A business preparing poultry product under the Producer/Grower or Other Person Exemption may not slaughter or process poultry owned by another person.

(d) A business preparing poultry products under the Producer/Grower or Other Person Exemption may not sell poultry products to a retail store or other producer/grower.

(6) Small Enterprise Exemption

(a) A business that qualifies for the Small Enterprise Exemption may be:

(i) A producer/grower who raises, slaughters, and dresses poultry for use as human food whose processing of dressed exempt poultry is limited to cutting up;

(A) A business that purchases live poultry that it slaughters and whose processing of the slaughtered poultry is limited to the cutting up; or

(B) A business that purchases dressed poultry, which it distributes as carcasses and whose processing is limited to the cutting up of inspected or exempted poultry products, for distribution for use as human food.

(ii) A business may slaughter, dress, and cut up poultry for distribution as human food if;

(A) the person holds a valid poultry exemption license issued by the department;

(B) slaughtering or processing poultry is not prohibited by local ordinance;

(C) the processing of federal or state inspected or exempt poultry product is limited to the cutting up of carcasses or the business slaughters and dresses or cuts up no more than 20,000 birds in a calendar year;

(D) the slaughtering and or processing is conducted in a fixed establishment and in accordance with sanitary standards, practices, and procedures that produce poultry products that are sound, clean, and fit for human food;

(E) the facility used to slaughter or process poultry is not used to slaughter or process another person's poultry;

(F) the immediate containers bear the following information:

- (I) name of product;
 - (II) ingredients statement (if applicable);
 - (III) net weights statement;
 - (IV) name and address of processor;
 - (V) safe food handling statement;
 - (VI) date of package and/or Lot number, and;
 - (VII) the statement "Exempt R58-11-7(6)"
- (iii) A business may not cut up and distribute poultry products produced under the Small Enterprise Exemption to a business operating under the following exemptions:
- (A) Producer/Grower or PGOP Exemption,
 - (B) Retail Dealer, or
 - (C) Retail Store.

R58-11-8. Producer/Growers Sharing a Fixed Facility.

(1) Each producer/grower must comply with all the laws and regulations governing such establishments as set forth in Utah Meat and Poultry and Poultry Products Inspection and Licensing Act, this rule, the United State Department of Agriculture (USDA) Poultry Exemptions and federal regulations that apply.

(2) The poultry producer/ grower shall hold a valid Custom Exempt Meat Establishment License (2202) issued by the department

(a) the individual who hold the 2202 license shall be present when slaughter and rocesing operation are being performed.

(3) The department shall be notified five business days prior to slaughtering and processing. The individual shall provide the department with the following information pertaining to the slaughtering and processing of birds:

- (a) the date;
- (b) the time; and
- (c) the location.

(4) The producer/grower shall:

- (a) conduct a pre-operational inspection on all food-contact surfaces;
- (b) document the findings of the pre-operational inspection and corrective actions as described in 9 CFR 416.12(a) and 416.15 prior to the commencement of operations;
- (c) maintain records for at least one year and have them available for inspection upon request by department officials;
- (d) fully label product in accordance with this rule before leaving the facility;
- (e) maintain the product temperature at 40 degrees F or less during transport;
- (f) keep a written recall plan as described in 9 CFR 418 and have it available upon request by department officials;

(5) Producer/growers shall not process on the same day as any other producer/grower.

R58-11-9. Enforcement Procedures.

(1) Livestock and Poultry Slaughtering License:

(a) It shall be unlawful for any person to slaughter or assist in slaughtering livestock and poultry as a business outside of a licensed slaughterhouse unless he holds a valid Farm Custom Slaughtering License issued to him by the Department.

(b) Only persons who comply with the Utah Meat and Poultry Products Inspection and

Licensing Act and Rules pursuant thereto, and the Utah Livestock Brand and Anti-Theft Act shall be entitled to receive and retain a license.

(c) License may be renewed annually and shall expire on the 31st of December of each year.

(2) Suspension of license - license may be suspended whenever:

(a) The Department has reason to believe that an eminent public health hazard exists;

(b) Insanitary conditions are such that carcasses would be rendered adulterated and or contaminated.

(c) The license holder has interfered with the Department in the performance of its duties;

(d) The licensee violates the Utah Meat and Poultry Products Inspection and Licensing Act or the Utah Livestock Brand and Anti-Theft Act or rules pursuant to these acts.

(3) The department may, in accordance with the 9 CFR Part 500 suspend or terminate any exemption with respect to any person whenever the department finds that such action will aid in effectuating the purposes of the Act. Failure to comply with the conditions of the exemption including but not limited to failure to process poultry and poultry products under clean and sanitary conditions may result in termination of an exemption, in addition to other Penalties consistent with 9 CFR 318.13

(4) Warning letter - In instances where a violation may have occurred a warning letter may be sent to the licensee which specifies the violations and affords the holder a reasonable opportunity to correct them.

(5) Hearings - Whenever a licensee has been given notice by the Department that suspected violations may have occurred or when a license is suspended he may have an opportunity for a hearing to state his views before the Department.

(6) Reinstatement of Suspended Permit - Any person whose license has been suspended may make application for the purpose of reinstatement of the license. The Department may then re-evaluate the applicant and conditions; if the applicant has demonstrated to the Department that he will comply with the rules, the license may be reinstated.

(7) Detainment or Embargo - Any meat found in a food establishment which does not have the proper identification or any uninspected meat slaughtered by a licensee which does not meet the requirements of these rules may be detained or embargoed.

(8) Condemnation - Meat which is determined to be unfit for human consumption may be denatured or destroyed.

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