

FAQs – Poultry Processing in Nevada County

What does this 1,000 bird processing exemption mean?

This exemption permits a poultry raiser to slaughter and process their own birds on their own premises for marketing within their own state as human food without federal or state inspection as long as the number of birds does not exceed 1,000 chickens (or 250 turkeys) within one calendar year. For the purposes of this exemption, rabbits qualify as poultry.

This exemption allows poultry producers to process on-farm and to market those birds at a farmers' market or through an off-site Community Supported Agriculture (CSA) program.

You may only raise, slaughter and process 1,000 birds on the farm premise and qualify for this exemption. Poultry raised in excess of the 1,000-bird limit needs to be processed off-farm at a USDA-certified facility.

You may only operate under one exemption. If you want to raise more than 1,000 birds and sell those birds at the farm under the federal 20,000-bird exemption, you may do so, but you may not *also* process 1,000 birds and sell them at farmers' markets under this exemption. If you raise and process in excess of 1,000 birds, you are expected to register with CDFA. However, you do not need to register with CDFA if you operate under this exemption.

Who is exempt?

A person may slaughter and process poultry that he or she raised on his or her premises and they may distribute such poultry without mandatory inspection when the following five criteria are met:

1. The poultry grower slaughters no more than 1,000 healthy birds of his or her own raising in a calendar year for distribution as human food;
2. 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;
3. The slaughter and processing are conducted under sanitary standards, practices, and procedures that produce poultry products that are sound, clean, and fit for human food; **(SEE NCG SSOPs)**
4. The producer keeps records necessary for the effective enforcement of the Act; and
5. The poultry products do not move in commerce. (In this context, "commerce" is defined as the exchange or transportation of poultry products between States, U.S. territories (Guam, Virgin Island of the United States, and American Samoa), and the District of Columbia).

If any of the five criteria are not met, the owner of the poultry is *not* eligible for this exemption.

What kind of records do I need to keep?

Records necessary for the effective enforcement of the Act include slaughter records and records covering the sales of poultry products to customers. USDA/FSIS or contracted State employees review such records to determine compliance with the requirement of the sale of no more than 1,000 poultry in a calendar year. You may use the worksheets provided by Nevada County Grown in the "Processing Guidelines" document on the website to assist you in your record-keeping.

Exactly how many chickens (or turkeys) can I raise in a year?

This exemption is per "farm" and not per farmer. If a number of farmers or family members operate on a given location known as "a farm," only 1,000 birds in total are allowed from this farm for the exemption. Each farmer or family member raising birds on a particular farm is not entitled to the 1,000-bird exemption. If any farm is found to produce and on-farm process more than 1,000 chicken or 250 turkeys (one turkey equals 4 chickens for this exemption) it is a violation of the exemption. In these cases, the operation must operate under the Producer/Grower – 20,000-bird exemption and will be subject to periodic reviews by the USDA or contracted State inspectors.

The poultry producer can only process poultry that they have raised. They cannot buy or sell any poultry products other than those from poultry of their own raising. All of the slaughter and processing must be done on farm. The equipment used may be owned, rented or provided in the form of a Mobile Poultry Processing Unit (MPPU).

Where can I sell my birds?

This exemption allows you to sell your poultry from your farm premises, at farmers' markets, and through a Community Supported Agriculture (CSA) program.

Under no circumstances are you permitted to sell to restaurants, grocery stores, or through middlemen, such as wholesalers. Your poultry may at no point be re-sold.

Both state and federal laws require that poultry product entering interstate commerce must be inspected and passed. Poultry slaughtered and processed under the 1,000-bird exemption is not inspected by the USDA, and these products cannot cross state lines.

Can I sell other poultry parts and offal?

As of May 2012, parts from the same slaughter/processing batch can be grouped for sale, i.e. a bag of wings, livers, feet, etc.

How does the poultry have to be sold?

Poultry can be sold fresh or frozen. If it is sold fresh, the product must be picked up within 4 hours of slaughter by the consumer or held at less than 41° F for no more than four days.

All meat is required to be sold by net weight, rather than by the piece or each. Even if being sold at a flat rate, a net weight must still be present.

How should I package the product?

All packaging materials in direct contact with food must be safe for their intended use under the Federal Food, Drug, and Cosmetic Act (FFDCA). Poultry products may not be packaged in a container that is composed of any substances that may adulterate the contents or be injurious to health. Only FDA approved food grade packaging is allowed. It is the farmer's responsibility to see that approved food-grade packing materials are used. Proper wrapping and rapid freezing contribute to a longer lasting quality product. The goal is to prevent moisture loss from the meat (freezer burn) and keep air out. Packaging options for poultry include: freezer paper, tray wraps, plastic wraps, barrier films and meat trays, and heat- shrink bags.

Do I need labels?

There are no labeling requirements for poultry processed under the 1,000-bird exemption. Shipping containers for poultry processed under other Federal exemptions (under 20,000 birds) must bear the producer's name, the producer's address and the statement "Exempt P.L. 90-492."

Fair Packaging and Labeling Act requires a minimum label to be present on all consumer packages.

The **three basic requirements** are:

1. A declaration of **identity** that is the common or usual name of the commodity.
2. A declaration of **responsibility** that includes the **name, address, and zip code** of the manufacturer, packer, or distributor. A street address is required if the name is not listed in a current directory. The connection of a distributor must be shown (e.g., "packed for, distributed by"). This statement is not required to be on the principal display panel.
3. A declaration of the **quantity** of the commodity in the lower 30% of the principal display panel area, in a size depending upon the area of the principal display panel.

Consumer packages are **required** to have both SI (metric) and inch-pound units.

If a random weight package, when offered for sale, has a conspicuous label stating:

- net weight
- price per pound
- total sales price

It is exempt from the requirements for:

- SI (Metric) quantity labeling
- type size
- placement in the lower 30% of the principal display panel
- free area

If the package does not state all three on the same label (net weight, price per pound, total sales price) at the time of sale, it must conform to all package labeling requirements, including placement, letter size, color contrast, prominence, etc.

Do I need to include Safe Handling Statements?

Safe handling instructions shall be provided to the customer in one or more of the following ways:

- (1) Placement on each package of product
- (2) Placement on each container holding packaged or unpackaged product
- (3) Given as a flyer to the customer with the product.

These instructions must appear in lettering no less than 1/8 inch in height. The heading must be set in type size larger than the rationale statement and instructions. All safe handling information must be set off by a border and appear in one color printed on contrasting background of a single color.

Safe handling instructions shall include the following or similar statements:

“This product may contain bacteria that could cause illness if the product is not handled or cooked properly. For your protection, follow these safe handling instructions.

- Keep refrigerated or frozen. Thaw in a refrigerator or microwave. (A graphic illustration of a refrigerator may be displayed next to this statement.)
- Keep raw meat and poultry separate from other foods. Wash working surfaces (including cutting boards), utensils and hands with hot water and soap after touching raw meat or poultry. (A graphic illustration of soapy hands under a faucet may be displayed next to this statement.)
- Cook thoroughly. Poultry should be cooked to a minimum internal temperature of 165 degrees Fahrenheit. (A graphic illustration of a skillet may be displayed next to this statement.)
- Keep hot foods hot. Refrigerate leftovers immediately or discard.” (A graphic illustration of a meat thermometer may be displayed next to this statement.)

Do I need to include Nutritional Facts?

Nutrition facts are not essential for raw (fresh or frozen) poultry. However, if a farmer makes a nutritional claim in any way, then he/she must provide a nutritional label.