

2021—How Do I Legally Sell Meat from My Own Livestock and Poultry in Florida?¹

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There is much interest in locally produced foods, but the federal, state, and local regulations can be confusing. The purpose of this document is to be a “one-stop shop” for Florida residents who want to sell meat and poultry from their own livestock and poultry.

Which species can be sold?

Cattle, hogs, sheep, goats, or equine are defined by the US Department of Agriculture’s Food Safety Inspection Service (USDA-FSIS) as “amenable livestock species.” This means the US government is accountable for the products from those species (<http://www.fsis.usda.gov/wps/wcm/connect/fsis-content/internet/main/topics/rulemaking/federal-meat-inspection-act/federal-meat-inspection-act>) (21 U.S.C. § 601–695).

Although technically amenable, no equine are currently being slaughtered under US federal inspection.

What is the easiest way to sell meat from my livestock?

One can start by selling a few animals as “freezer meat.”



Figure 1. Roasted chicken.
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USDA-FSIS describes this as the “custom exemption,” and it can happen in two ways: the owners of an animal (1) slaughter the animal themselves or (2) deliver it to a custom exempt slaughterhouse for slaughter and processing. The

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meat and by-products cannot be sold, and the products can only be consumed by the owner's household and nonpaying guests and employees. In either case, having farm liability insurance is recommended.

What if someone wants to slaughter livestock I have sold to them on my farm?

After the animal is sold to a customer, it is their property, and you can allow them to slaughter the livestock on your property. If this is an option you choose, you may want to make disposal of items such as the hide and offal the responsibility of your customer.

Note that it is not legal for the farmer to help with the on-farm slaughter in any way. If the farmer does assist, they would be viewed by USDA-FSIS as a custom exempt processing facility, which means that the farmer would be working out of compliance.

What is a custom processor?

In general, a custom processor is exempted from a large percentage of FSIS inspection regulations because products cannot be resold and therefore pose a reduced risk to public health. The owners of the livestock pay custom processors to convert a meat animal into a meat product.

There are several federal and state recordkeeping requirements under this exemption, which are addressed in EDIS publication AN204, *Custom and Retail Exempt Meat Processing* (<https://edis.ifas.ufl.edu/an204>).

Specifically, an FSIS directive gives the most updated requirements for custom exempt operations (<https://www.fsis.usda.gov/policy/fsis-directives/8160.1>).

Individuals or establishments who only do custom processing and do not have any FDACS permits (e.g., a USDA Custom Exempt establishment) do not require FDACS inspection, and as such do not require a HACCP plan.

Where can I have this done in Florida?

For an updated list of custom exempt facilities in Florida, see EDIS publication AN248, *Custom Exempt Red Meat and/or Poultry Slaughter Facilities in Florida* (<https://edis.ifas.ufl.edu/an248>).

Several of the USDA-inspected facilities listed in EDIS publication AN203, *USDA-Inspected Livestock Slaughter Facilities in Florida* (<https://edis.ifas.ufl.edu/an203>), provide custom slaughter.

I do not want livestock slaughtered on my farm, but my customer cannot transport the livestock. What should I do?

You, the livestock producer, can either deliver the animal for them or put them in contact with a local livestock hauler who can do this on a fee-for-service basis.

I have a very specific need—I have a cow who has broken her leg and cannot get up and go (i.e., non-ambulatory), but the beef is fine. What should I do?

If the cow cannot stand up, do **not** try to load her or take her to a slaughter facility (custom or FSIS-inspected). A non-ambulatory beef animal at a custom or FSIS-inspected facility will be condemned.

Can I slaughter her myself?

Yes. However, you cannot legally take a field-slaughtered or farm-dressed carcass into a custom processor unless the owner of the cattle provides written documentation that the animal was ambulatory at the time of slaughter (https://www.fsis.usda.gov/sites/default/files/media_file/2021-02/8160.1.pdf) (USDA 2007).

An alternative would be Moses Removal in Ocala, Florida (352-624-2411). The facility will euthanize and pick up downed cows for transportation to rendering facilities.

A custom or inspected processor cannot slaughter a non-ambulatory beef animal—does this apply to any other species?

No, only cattle.

Demand for my livestock is growing, and I am considering establishing my own custom exempt livestock processing facility. What do I need to do?

You certainly can do this, and the UF/IFAS Meat Science Extension group can help you to establish a facility. However, there is no difference in building standards between a custom exempt facility, which only receives “periodic review” and whose products are “not for sale,” and a fully functional FSIS-inspected facility.

What if I wanted to start my own USDA-FSIS-inspected red meat or poultry processing facility?

There are multiple regulations to meet at the local, state, and federal levels.

Generally, processors must have a facility that (1) has potable water, (2) has a viable wastewater plan, (3) meets “regulatory performance standards” (which primarily means all surfaces can be cleaned and sanitized), and (4) has a validated HACCP plan and approved labels.

Additionally, any ready-to-eat product manufactured under FSIS inspection must have a management plan for *Listeria monocytogenes* as described in <https://www.fsis.usda.gov/guidelines/2014-0001>.

That is a lot of information. What does all of that mean?

The Niche Meat Processor Assistance Network (NMPAN; <http://www.nichemeatprocessing.org/>) has an excellent “How to Get Started” section addressing all facets of a start-up meat processing business.

Cornell University’s *Guide to Direct Marketing Livestock and Poultry* (<http://smallfarms.cornell.edu/resources/>) is an excellent starting resource. Specifically, page 19 of that guide provides an excellent to-do list to establish a federally inspected facility.

The American Association of Meat Processors (AAMP) website provides facility and equipment guidelines for federal inspection (<https://www.ncagr.gov/MeatPoultry/pdf/Facility%20Guidelines.pdf>).

I just want to sell meat from my livestock at my retail store and/or at a farmers’ market. How can I do that?

If your livestock are slaughtered under federal inspection, you can operate as a retail exempt facility. Retail exemption is described in detail in EDIS publication AN204, *Custom and Retail Exempt Meat Processing* (<https://edis.ifas.ufl.edu/an204>).

Generally, you can sell meat piece-by-piece directly to the end-user from two storefronts without being under federal inspection. You can even sell a given amount of fresh or frozen meat to food service, but you cannot sell cured, cooked, or smoked product to food service. These products can only be sold to individual household consumers.

For more information on federal regulations of retail exempt operations, contact AAMP (<http://www.aamp.com/regulations/regulatory-affairs/>).

What state or local requirements must be met for me to operate a retail exempt facility?

A link to the state requirements for a retail store is on the Florida Department of Agriculture and Consumer Services (FDACS) website (<https://www.fdacs.gov/Business-Services/Food/Food-Establishments/Retail-Food-Establishment-Permit>).

All facilities need:

1. At least one employee who has been trained as a food manager (<http://www.foodprotect.org/media/manager-cert/cfp-food-manager-certification-info-april-2020.pdf>);
2. To meet minimum construction and sanitation standards (https://www.fdacs.gov/content/download/64038/file/food_establishment_minimum_construction_standards.PDF);
3. To meet water and waste management standards (<https://www.fdacs.gov/content/download/23984/file/Water%20and%20Sewer%20Requirements%20for%20Food%20Permit%20and%20Initial%20Inspection.pdf>); and

4. A proper food permit, which will depend upon the kind of retail establishment the business would be defined as (<https://www.fdacs.gov/content/download/23977/file/food-permit-fees.pdf>).

For instance, a facility defined as a “meat market” has an annual food permit fee of \$455. Individual descriptions of all possible Florida retail food permits are online at <https://www.flrules.org/gateway/ChapterHome.asp?Chapter=5K-4> (click on the Word document for the appropriate food permit, requirement, and fees).

Facilities that vacuum seal, include nitrite, smoke, and/or dehydrate for preservation must have an HACCP plan approved by FDACS. Additionally, an individual or establishment who is currently permitted with FDACS and would like to also do custom processing of meat must submit an HACCP plan with all supporting documentation, and obtain a Special Process Approval from FDACS before they may proceed. An example would be a retail store that wants to grind deer or custom slaughtered beef at the end of their normal processing day. An Industry Guidance fact sheet for FDACS-permitted custom processing may be found at <https://www.fdacs.gov/content/download/92253/file/Custom-Animal-Processing-at-Retail-Industry-Guidance.pdf>.

FDACS-permitted individuals or establishments or those seeking a permit may send all custom processing requests to RetailHACCPspa@fdacs.gov.

Additionally, any facility that is permitted by FDACS and would like to process wild game (most often deer or feral pigs) or on-farm slaughtered livestock must also have an HACCP plan (http://www.foodprotect.org/issues/packets/2010Packet/attachments/III_019_a.pdf). This is associated with Rule 5K-4.0050. The application that must accompany your completed HACCP plan can be found at <http://forms.freshfromflorida.com/14095.pdf>.

What are the regulations about temperature control and receiving perishable goods?

The FDA food code requires refrigerated foods to be held at or below 41°F, so you should document the temperature of all perishable goods at receiving. Recording temperatures are required if you are using reduced oxygen packaging or other specialized processes that require an HACCP plan.

I need all that just for my retail meat market?

Yes, and you will need a mobile vendor permit to be able to sell meat at a farmers’ market (<https://www.fdacs.gov/Business-Services/Food/Food-Establishments/Mobile-Food-Vendors>).

What if I want to distribute my products at multiple retail stores or if I want to market the majority of my products to food service?

Those products must be made entirely under USDA-FSIS inspection. Products that bear a stamp of inspection and an approved label have no restrictions as to where they can be marketed domestically.

All of your products will need to have a label approved by FSIS (https://www.fsis.usda.gov/sites/default/files/2020-08/FSIS_7234-1_Approval_of_Labels.pdf). Additional guidance on labeling is available at <https://www.nicemeatprocessing.org/product-labeling/>.

Establishments defined as “small businesses” are not required to have a nutrition label. A small business is any single-plant facility or multi-plant company or firm that employs 500 or fewer people and produces no more than 100,000 pounds of the product per year.

If you do not own and operate your own facility, finding a USDA-inspected facility willing to work with you can be a stumbling block. For a list of inspected facilities in Florida, see EDIS publication AN203, *USDA-Inspected Livestock Slaughter Facilities in Florida* (<https://edis.ifas.ufl.edu/an203>).

I raise poultry, but no red meat animals. Is it all the same?

Collectively, the steps to market poultry meat are similar to the steps for red meat, but poultry is under the Poultry Products Inspection Act, not the Federal Meat Inspection Act. Turkeys, chickens, ducks, geese, squab, guinea fowl, and/or ratites (emu, rhea, and ostrich) are recognized by USDA-FSIS as “amenable poultry” in 9 CFR § 381.1 (<http://www.gpo.gov/fdsys/pkg/CFR-2005-title9-vol2/pdf/CFR-2005-title9-vol2-chapIII-subchapA.pdf>).

For the remainder of the Federal Poultry Products Inspection Act (21 U.S.C. § 451–472), visit <http://www.fsis.usda.gov/wps/portal/fsis/topics/rulemaking/poultry-products-inspection-acts>.

I do not have many poultry, but I want to sell meat from my birds.

What can I do?

Florida recently developed a permit for small Florida poultry producers. FDACS has an excellent Frequently Asked Questions guide to address this new permit that utilizes the USDA's 20,000-bird exemption (https://www.fdacs.gov/content/download/64357/file/Limited_Poultry_and_Egg_Operation_Requirements.pdf).

Additionally, Florida producers with a Limited Poultry and Egg permit can sell products directly to food service for the preparation of meals sold to customers.

A few custom exempt and smaller-scale inspected poultry slaughter facilities exist in Florida: Sealy's Ark in Dunnellon; Zabahi Meat and Poultry in Orlando; Eddie's Duck & Poultry and Musa Slaughter House in Tampa; Sonshine Poultry in Haines City; and Gray's & Danny's in Moore Haven. More information can be found at <https://edis.ifas.ufl.edu/an248>.

If you slaughter more than 20,000 birds per year or more than 384 birds in one week, or if you process purchased poultry for resale in more than one other retail front, these operations are **not** exempt and **must** be conducted under USDA-FSIS inspection.

This publication has focused on state and federal regulations, but be sure to check with local, city, or county government before you begin a new project or construction.

Resources

The federal statutes cited for red meat are most easily accessed at this website browsing by title and chapter: <https://www.fsis.usda.gov/inspection/inspection-programs/inspection-meat-products>.

Federal statutes cited for poultry can be accessed at this website: <http://www.fsis.usda.gov/wps/portal/fsis/topics/rulemaking/poultry-products-inspection-acts>.

Most of the state regulations cited are most easily accessed at this website: <https://www.fdacs.gov/Business-Services/Food/Food-Establishments>.

References

- Carr, C. C., L. E. Eubanks, and R. D. Dijkhuis. 2008a. *Custom and Retail Exempt Meat Processing*. AN204. Gainesville: University of Florida Institute of Food and Agricultural Sciences. <https://edis.ifas.ufl.edu/an204>
- Carr, C. C., L. E. Eubanks, and R. D. Dijkhuis. 2008b. *USDA-Inspected Livestock Slaughter Facilities in Florida*. AN203. Gainesville: University of Florida Institute of Food and Agricultural Sciences. <https://edis.ifas.ufl.edu/an203>
- Carr, C. C., and L. E. Eubanks. 2010. *Custom Exempt Meat and/or Poultry Slaughter Facilities in Florida*. AN248. Gainesville: University of Florida Institute of Food and Agricultural Sciences. <https://edis.ifas.ufl.edu/an248>
- Goodsell, M., and T. Stanton. 2011. *A Resource Guide to Direct Marketing Livestock and Poultry*. Cornell University. Accessed October 2014. <http://smallfarms.cornell.edu/resources/>
- Niche Meat Processor Assistance Network (NMPAN). 2021. Iowa State and Oregon State Universities. Accessed August 2021. <http://www.nicemeatprocessing.org/>
- USDA. 2003. "Exemptions to Federal Meat Inspection. 9 CFR 303.1 Food Safety Inspection Service." Washington, D.C. Accessed October 2014. http://www.access.gpo.gov/nara/cfr/waisidx_07/9cfr303_07.html
- USDA. 2007a. "Custom Exempt Review Process. 5930 Food Safety Inspection Service." Washington, D.C. Accessed October 2014. <http://www.fsis.usda.gov/OPPDE/rdad/FSISDirectives/5930.1.pdf>
- USDA. 2007b. "Exemptions for Retail Store Operations. Food Safety Inspection Service." Washington, D.C. Accessed October 2014. <http://www.fsis.usda.gov/OPPDE/rdad/FRPubs/2007-0009.pdf>
- USDA. 2007c. "A Guide to Federal Food Labeling Requirements for Meat, Poultry, and Egg Products." Food Safety Inspection Service. Washington, D.C. Accessed October 2014. http://www.fsis.usda.gov/shared/PDF/Labeling_Requirements_Guide.pdf

USDA. 2012. "Summary of *Listeria monocytogenes* Compliance Guideline for Small and Very Small Meat and Poultry Plants That Produce Ready-To-Eat Products." Food Safety Inspection Service. Washington, D.C. Accessed October 2014. http://www.fsis.usda.gov/wps/wcm/connect/89b36eab-ab09-45d0-8b44-7dd3d412aeca/LM_Guidelines_for_SVSP_Ready_to_Eat_Products.pdf?MOD=AJPERES

USDA. 2013. "FAQs—COOL Labeling Provisions Final Rule." Food Safety Inspection Service. Washington, D.C. Accessed October 2014. <http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5105133>

United States Food and Drug Administration (US FDA). 2009. "FDA Food Code." Accessed October 2014. <http://www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/FoodCode/ucm188201.htm#parta6-2>