

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.

What species are eligible to be sold?

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

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

So, what is the easiest way to sell meat from my few livestock?

The way to start is probably 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) slaughters the animal themselves or (2) delivers it to a

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custom exempt slaughterhouse for slaughter and processing. The 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, it is certainly suggested to have farm liability insurance.

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 certainly can allow them to slaughter the livestock on your property if you so wish. If this is a path you choose, it is probably easiest if you make disposal of items such as the hide and offal the responsibility of your customer.

Also, 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, thus having a reduced risk to public health. Custom processors are paid by the owner(s) of the livestock for providing the service of converting a meat animal into a meat product.

There are several federal and state record keeping requirements under this exemption, which are addressed in this UF/IFAS EDIS document (Carr et al. 2008a): <http://edis.ifas.ufl.edu/pdffiles/AN/AN20400.pdf>.

Specifically, the following FSIS directive gives the most updated requirements for custom exempt operations (USDA 2007): <http://www.fsis.usda.gov/OPPDE/rdad/FSISDirectives/5930.1.pdf>.

Where can I have this done in Florida?

This is a link to an updated list of custom exempt facilities in the State of Florida (Carr and Eubanks 2010; <http://edis.ifas.ufl.edu/pdffiles/AN/AN24800.pdf>).

Also, several of the USDA-inspected facilities listed here (Carr et al. 2008b; <http://edis.ifas.ufl.edu/pdffiles/AN/AN20300.pdf>) provide custom slaughter.

I don't want livestock slaughtered on my farm, but my customer can't 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 she cannot get up and go (i.e., non-ambulatory), but the beef is certainly fine. What should I do?

If the cow cannot get 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.

OK, can I slaughter her myself?

Absolutely. However, you cannot legally take a field-slaughtered or farm-dressed carcass into a custom processor unless the owner of the cattle provided in writing that the animal was ambulatory at the time of slaughter (USDA 2007; <http://www.fsis.usda.gov/OPPDE/rdad/FSISDirectives/5930.1.pdf>).

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 really 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 we at UF/IFAS Meat Science Extension group will 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.

OK, 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 here: <http://www.fsis.usda.gov/wps/wcm/connect/0f67cfdc-faea-4b71-8b8a-89967cb50bb6/alternatives1and2.pdf?MOD=AJPERES>.

That is a lot to swallow. 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* (Goodsell and Stanton 2011; <http://smallfarms.cornell.edu/resources/>) is an excellent starting resource, and specifically page 19 of that guide provides an excellent to-do list to establish a federally inspected facility.

Also, this document on the American Association of Meat Processors (AAMP) website provides facility and equipment guidelines for federal inspection: <http://www.aamp.com/documents/USDA-NCDA-FacilityGuidelines.pdf>.

Maybe in the future I will try to run my own federally inspected facility, but today 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 this publication (Carr et al. 2008a): <http://edis.ifas.ufl.edu/pdffiles/AN/AN20400.pdf>.

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 are needed 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, Food and Consumer Services (FDACS) website (<http://www.freshfromflorida.com/Divisions-Offices/Food-Safety/Business-Services/Food-Inspections/Opening-and-Operating-a-Food-Establishment>), and the state requirements are explained more thoroughly in this document (Simonne et al. 2011): <https://edis.ifas.ufl.edu/pdffiles/fy/fy122500.pdf>.

All facilities will need

1. at least one employee who has been trained as a food manager (http://www.freshfromflorida.com/content/download/23976/486635/certified_food_protection_mgr_guidelines.pdf);
2. to meet minimum construction and sanitation standards (http://www.freshfromflorida.com/content/download/23986/486687/Minimum_Construction_Standards.pdf);
3. to meet water and waste management standards (http://www.freshfromflorida.com/content/download/23984/486677/Sewage_disposal_water_supply_form.pdf); and
4. a proper food permit, which will depend upon the kind of retail establishment the business would be defined as (http://www.freshfromflorida.com/content/download/23977/486640/FirmReferenceList_sorted_alphabetically.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 can be found 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).

Additionally, any retail stores that vacuum-package meat, poultry, or seafood at the facility must have a HACCP plan to address the risk of anaerobic, pathogenic bacteria (US FDA 2009; <http://www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/FoodCode/ucm188201.htm#parta6-2>).

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 a HACCP plan.

Wow, 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 (http://www.freshfromflorida.com/content/download/10022/136400/mobile_guide.pdf).

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 (USDA 2007; http://www.fsis.usda.gov/shared/PDF/Labeling_Requirements_Guide.pdf), regardless of whether they are produced under FSIS inspection or retail exemption. (This is an excellent summary of the labeling information: http://www.extension.org/pages/18741/step-5:-obtain-approved-labels-andor-brands#.VCWnVHrD_cs.)

Additionally, all fresh or frozen whole muscle or ground products from amenable species must also include a Country of Origin Label (USDA 2013; <http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5105133>). 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/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 often be a stumbling block. This is a list of inspected facilities in Florida (Carr et al. 2008b): <http://edis.ifas.ufl.edu/pdffiles/AN/AN20300.pdf>.

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

Collectively, the steps to market poultry meat is similar to the steps for red meat, but poultry is under the Poultry Products Inspection Act, not the Federal Meat Inspection Act. If you raise turkeys, chickens, ducks, geese, squab, guinea fowl, and/or ratites (emu, rhea, and ostrich), these species 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>).

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

I don't have many poultry, but I want to sell meat from my birds. What can I do?

The State of Florida recently developed a permit for small Florida poultry producers. The Florida Department of Agriculture and Consumer Sciences (FDACS) has an excellent Frequently Asked Questions guide to address this new permit that utilizes the USDA's 20,000-bird exemption (http://www.freshfromflorida.com/content/download/37551/848256/FDACS_-2000Rev.0614.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 here (Carr and Eubanks 2010): <http://edis.ifas.ufl.edu/pdffiles/AN/AN24800.pdf>.

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 document has concentrated on state and federal regulations, but BE SURE to check with local, city, or county government before you begin a new project or construction.

References

The federal statutes cited for red meat are most easily accessed at this website browsing by title and chapter: <http://www.fsis.usda.gov/wps/wcm/connect/fsis-content/internet/main/topics/rulemaking/federal-meat-inspection-act/federal-meat-inspection-act>.

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>.

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