

Effective 5/8/2018

4-5a-105 Limitations.

- (1) This chapter does not apply to the sale of:
 - (a) raw dairy or raw dairy products; or
 - (b) meat products, with the following exceptions:
 - (i) the sale of poultry and poultry products if the producer:
 - (A) slaughters no more than 1,000 birds per year in accordance with the United States Department of Agriculture 1,000 bird exemption; and
 - (B) follows the United States Department of Agriculture's, Food Safety and Inspection Service document titled "Guidance for Determining Whether A Poultry Slaughter or Processing Operation is Exempt from Inspection Requirements of the Poultry Products Inspection Act"; and
 - (ii) the sale of domesticated rabbit meat, pending approval from the United States Department of Agriculture that the state's role in meat inspection is preserved.
- (2) Nothing in this chapter:
 - (a) means that the department relinquishes its authority to administer the state's program at a standard level at least equal to the standards imposed under the Federal Meat and Poultry Products Inspection Act;
 - (b) shall be construed to impede the Department of Health in an investigation of foodborne illness;
 - (c) prohibits a state agency from providing assistance, consulting, or inspecting when requested by a producer; or
 - (d) affects the authority of the Department of Health or the Department of Agriculture and Food to certify, license, regulate, or inspect food or food products that are not exempt from certification, licensing, regulation, or inspection as described in this chapter.
- (3) The department may not, by rule, impose an additional limit, requirement, or restriction on a producer selling food or a food product under this chapter.

Enacted by Chapter 377, 2018 General Session