

HB0412S04 compared with HB0412S03

~~{deleted text}~~ shows text that was in HB0412S03 but was deleted in HB0412S04.

Inserted text shows text that was not in HB0412S03 but was inserted into HB0412S04.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

~~{Representative Marc K. Roberts}~~Senator Ronald Winterton proposes the following substitute bill:

DOMESTICATED GAME SLAUGHTER

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Marc K. Roberts

Senate Sponsor: ~~{~~Ronald Winterton

LONG TITLE

General Description:

This bill provides for the slaughter and processing of domesticated game.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ amends existing provisions and enacts provisions to allow certain slaughter of domesticated game by a person who holds a certain license;
- ▶ enacts provisions to provide for the slaughter and processing of domesticated game, including:
 - required inspections;
 - notice of slaughter and processing to the Department of Agriculture and Food;

HB0412S04 compared with HB0412S03

and

- transportation of slaughtered domesticated game;
- ▶ gives rulemaking authority to the Department of Agriculture and Food relating to the slaughter and processing of domesticated game; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

~~{ 4-32-102, as renumbered and amended by Laws of Utah 2017, Chapter 345~~

~~4-32-103, as renumbered and amended by Laws of Utah 2017, Chapter 345~~

+ 4-32-105, as renumbered and amended by Laws of Utah 2017, Chapter 345

4-32-107, as renumbered and amended by Laws of Utah 2017, Chapter 345

4-32-108, as renumbered and amended by Laws of Utah 2017, Chapter 345

ENACTS:

4-32a-101, Utah Code Annotated 1953

4-32a-102, Utah Code Annotated 1953

4-32a-201, Utah Code Annotated 1953

4-32a-202, Utah Code Annotated 1953

4-32a-203, Utah Code Annotated 1953

4-32a-204, Utah Code Annotated 1953

4-32a-205, Utah Code Annotated 1953

4-32a-206, Utah Code Annotated 1953

4-32a-207, Utah Code Annotated 1953

4-32a-208, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section ~~{4-32-102}~~4-32-105 is amended to read:

~~{ 4-32-102. Purpose declaration.~~

HB0412S04 compared with HB0412S03

~~— (1) It is the purpose of this chapter to provide a meat and poultry inspection program in the state at least equal to the programs imposed under the:~~

~~— (a) Federal Meat Inspection Act, 21 U.S.C. Sec. 601 et seq.;~~

~~— (b) Poultry Products Inspection Act, 21 U.S.C. Sec. 451 et seq.; and~~

~~— (c) Humane Slaughter Act, 7 U.S.C. Sec. 1901 et seq. [; and];~~

~~— [(d) the Egg Product Inspection Act, 21 U.S.C. 1031 et seq.]~~

~~— (2) The commissioner shall administer and enforce this chapter to accomplish the purpose described in Subsection (1):~~

~~— Section 2. Section ~~4-32-103~~ is amended to read:~~

~~— **4-32-103. Adoption of federal provisions.**~~

~~— (1) The following federal laws, regulations, and standards are adopted by reference:~~

~~— (a) 9 C.F.R. Part 300 through Part 500 and Part 590;~~

~~— (b) the Federal Meat Inspection Act, 21 U.S.C. Sec. 601 et seq.;~~

~~— (c) the Poultry Products Inspection Act, 21 U.S.C. Sec. 451 et seq.; and~~

~~— (d) the Humane Slaughter Act, 7 U.S.C. Sec. 1901 et seq. [; and];~~

~~— [(e) the Egg Product Inspection Act, 21 U.S.C. 1031 et seq.]~~

~~— (2) Changes to the federal laws, regulations, and standards referenced in Subsection (1) are considered incorporated as those changes are made:~~

~~— Section 3. Section ~~4-32-105~~ is amended to read:~~

~~‡~~ **4-32-105. Definitions.**

As used in this chapter:

(1) "Adulterated" means any meat or poultry product that:

(a) bears or contains any poisonous or deleterious substance that may render it injurious to health, but, if the substance is not an added substance, the meat or poultry product is not considered adulterated under this subsection if the quantity of the substance in or on the meat or poultry product does not ordinarily render it injurious to health;

(b) bears or contains, by reason of the administration of any substance to the animal or otherwise, any added poisonous or added deleterious substance that in the judgment of the commissioner makes the meat or poultry product unfit for human food;

(c) contains, in whole or in part, a raw agricultural commodity and that commodity bears or contains a pesticide chemical that is unsafe within the meaning of 21 U.S.C. Sec.

HB0412S04 compared with HB0412S03

346a;

(d) bears or contains any food additive that is unsafe within the meaning of 21 U.S.C. Sec. 348;

(e) bears or contains any color additive that is unsafe within the meaning of 21 U.S.C. Sec. 379e, provided that a meat or poultry product that is not otherwise considered adulterated under Subsection (1)(c) or (d) is considered adulterated if use of the pesticide chemical, food additive, or color additive is prohibited in official establishments by federal law, regulation, or standard;

(f) consists, in whole or in part, of any filthy, putrid, or decomposed substance or is for any other reason unsound, unhealthful, unwholesome, or otherwise unfit for human food;

(g) has been prepared, packaged, or held under unsanitary conditions if the meat or poultry product may have become contaminated with filth, or if it may have been rendered injurious to health;

(h) is in whole or in part the product of an animal that died other than by slaughter;

(i) is contained in a container that is composed, in whole or in part, of any poisonous or deleterious substance that may render the meat or poultry product injurious to health;

(j) has been intentionally subjected to radiation, unless the use of the radiation conforms with a regulation or exemption in effect pursuant to 21 U.S.C. Sec. 348;

(k) has a valuable constituent in whole or in part omitted, abstracted, or substituted; or if damage or inferiority is concealed in any manner; or if any substance has been added, mixed, or packed with the meat or poultry product to increase its bulk or weight, reduce its quality or strength, or make it appear better or of greater value; or

(l) is margarine containing animal fat and any of the raw material used in the margarine consists in whole or in part of any filthy, putrid, or decomposed substance.

(2) "Amenable species" means:

(a) livestock, including cattle, sheep, goats, swine, or equine; or

(b) poultry, including a domesticated chicken, turkey, duck, goose, guinea, ratite, or squab.

~~(2)~~ (3) "Animal" means a domesticated or captive mammalian or avian species.

~~(3)~~ (4) "Animal food manufacturer" means any person engaged in the business of preparing animal food derived from animal carcasses or parts or products of the carcasses.

HB0412S04 compared with HB0412S03

~~[(4)]~~ (5) ~~["Ante mortem"]~~ "Antemortem inspection" means an inspection of a live animal immediately before slaughter.

~~[(5)]~~ (6) "Broker" means any person engaged in the business of buying and selling meat or poultry products other than for the person's own account.

~~[(6)]~~ (7) "Capable of use as human food" means any animal carcass, or part or product of a carcass, unless it is denatured or otherwise identified as required by rules of the department to deter the carcass or product's use as human food.

~~[(7)]~~ (8) "Commissioner" includes a person authorized by the commissioner to carry out the provisions of this chapter.

~~[(8)]~~ (9) "Container" or "package" means any box, can, tin, cloth, plastic, or other receptacle, wrapper, or cover.

~~[(9)]~~ (10) "Custom exempt processing" means processing meat ~~[or]~~, wild game, amenable species, or nonamenable species as a service for the person who owns the meat ~~[or]~~, wild game ~~[and uses the meat and meat food products for the person's own consumption, including consumption by immediate family members and non-paying guests.]~~, amenable species, or nonamenable species, if the person:

(a) uses the meat, meat food products, slaughtered amenable species, wild game, or slaughtered nonamenable species for the person's own consumption, including consumption by immediate family members and nonpaying guests; or

(b) offers the slaughtered nonamenable species for wholesale or retail sale.

~~[(10)]~~ (11) (a) "Custom exempt slaughter" means:

~~[(a) means slaughtering an animal as a service for the person who owns the animal and uses the meat and meat products for the person's own consumption, including consumption by immediate family members and non-paying guests; and]~~

~~[(b) includes farm custom slaughter.]~~

(i) slaughtering an amenable species or nonamenable species as a service for the person who owns the amenable species or nonamenable species and uses the slaughtered amenable species or slaughtered nonamenable species for the person's own consumption, including consumption by immediate family members and nonpaying guests; or

(ii) the slaughter of a nonamenable species intended for wholesale or retail sale.

(b) "Custom exempt slaughter" includes farm custom slaughter.

HB0412S04 compared with HB0412S03

~~[(11)]~~ (12) "Diseased animal":

(a) means an animal that:

(i) is diagnosed with a disease not known to be cured; or

(ii) has exhibited signs or symptoms of a disease that is not known to be cured; and

(b) does not include an otherwise healthy animal that suffers only from injuries such as fractures, cuts, or bruises.

~~[(12)]~~ (13) "Farm custom mobile unit" means a portable slaughter vehicle or trailer that is used by a farm custom slaughter licensee to slaughter animals.

~~[(13)]~~ (14) "Farm custom slaughter" means custom exempt slaughtering of an animal, amenable species, or nonamenable species for an owner without official inspection.

~~[(14)]~~ (15) "Farm custom slaughter license" means a license issued by the department to allow farm custom slaughter.

~~[(15)]~~ (16) "Farm custom slaughter NOT FOR SALE tag" means a tag issued by the department to the owner of the facility before the animal is slaughtered that specifies the animal's identification and certifies its ownership.

~~[(16)]~~ (17) "Federal acts" means:

(a) the Federal Meat Inspection Act, 21 U.S.C. Sec. 601 et seq.;

(b) the Federal Poultry Products Inspection Act, 21 U.S.C. Sec. 451 et seq.; and

(c) the Humane Slaughter Act, 7 U.S.C. 1901 et seq. ~~;~~ and.

~~[(d) the Egg Product Inspection Act, 21 U.S.C. 1031 et seq.]~~

~~[(17)]~~ (18) "Federal Food, Drug and Cosmetic Act" means the act so entitled, approved June 25, 1938 (52 Stat. 1040) (21 U.S.C. 301 et seq.), and any amendments to the act.

~~[(18)]~~ (19) "Immediate container" means any consumer package, or any other container, in which meat or poultry products not consumer packaged are packed.

~~[(19)]~~ (20) "Inspector" means a department employee who is trained in:

(a) humane handling;

(b) ~~[ante-mortem and post-mortem]~~ antemortem and postmortem inspection;

(c) processing inspection; and

(d) regulatory requirements.

~~[(20)]~~ (21) "Label" means a display of printed or graphic matter upon any meat or poultry product or the immediate container, not including package liners, of any such product.

HB0412S04 compared with HB0412S03

~~[(21)]~~ (22) "Labeling" means all labels and other printed or graphic matter:

- (a) upon any meat or poultry product or any of its containers or wrappers; or
- (b) accompanying a meat or poultry product.

~~[(22)]~~ (23) "Licensee" means a person who holds a valid farm custom slaughter license.

~~[(23)]~~ (24) "Meat" means the edible muscle, and other edible parts, of an animal, including edible:

- (a) skeletal muscle;
- (b) organs;
- (c) muscle found in the tongue, diaphragm, heart, or esophagus; and
- (d) fat, bone, skin, sinew, nerve, or blood vessel that normally accompanies meat and is not ordinarily removed in processing.

~~[(24)]~~ (25) "Meat establishment" means a plant or fixed premises used to:

- (a) slaughter animals for human consumption; or
- (b) process meat or poultry products for human consumption.

~~[(25)]~~ (26) "Meat product" means any product capable of use as human food that is made wholly or in part from any meat or other part of the carcass of any non-avian animal.

~~[(26)]~~ (27) "Misbranded" means any meat or poultry product that:

- (a) bears a label that is false or misleading in any particular;
- (b) is offered for sale under the name of another food;
- (c) is an imitation of another food, unless the label bears, in type of uniform size and prominence, the word "imitation" followed by the name of the food imitated;
- (d) if it has a container, the container is made, formed, or filled as to be misleading;
- (e) does not bear a label showing:
 - (i) the name and place of business of the manufacturer, packer, or distributor; and
 - (ii) an accurate statement of the quantity of the product in terms of weight, measure, or numerical count, provided that under this Subsection ~~[(26)]~~ (27)(e), exemptions as to meat and poultry products not in containers may be established by rules of the department and that under this Subsection ~~[(26)]~~ (27)(e)(ii), reasonable variations may be permitted, and exemptions for small packages may be established for meat or poultry products by rule of the department;
- (f) does not bear any word, statement, or other information required by or under

HB0412S04 compared with HB0412S03

authority of this chapter to appear on the label or other labeling that is not prominently placed with such conspicuousness, as compared with other words, statements, designs, or devices, in the labeling, and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use;

(g) is a food for which a definition and standard of identity or composition has been prescribed by rules of the department under Section 4-32-109 if the food does not conform to the definition and standard and the label does not bear the name of the food and any other information that is required by the rule;

(h) is a food for which a standard of fill has been prescribed by rule of the department for the container and the actual fill of the container falls below that prescribed unless the food's label bears, in a manner and form as the rule specifies, a statement that the food falls below the standard;

(i) is a food for which no standard or definition of identity has been prescribed under Subsection [~~(26)~~] (27)(g) unless the label bears:

(i) the common or usual name of the food, if there be any; and

(ii) if the food is fabricated from two or more ingredients, the common or usual name of each such ingredient, except that spices, flavorings, and colorings may, when authorized by the department, be designated as spices, flavorings, and colorings without naming each, provided that to the extent that compliance with the requirements of this Subsection [~~(26)~~] (27)(i)(ii) is impracticable, or results in deception or unfair competition, exemptions shall be established by rule;

(j) is a food that purports to be or is represented to be for special dietary uses, unless the label bears information concerning the food's vitamin, mineral, and other dietary properties as the department, after consultation with the Secretary of Agriculture of the United States, prescribes by rules as necessary to inform purchasers as to the food's value for special dietary uses;

(k) bears or contains any artificial flavoring, artificial coloring, or chemical preservative, unless the food bears labeling stating that fact, provided that to the extent that compliance with the requirements of this subsection are impracticable, exemptions shall be prescribed by rules of the department; or

(l) does not bear directly thereon and on the food's containers, as the department may

HB0412S04 compared with HB0412S03

prescribe by rule, the official inspection legend and establishment number of the official establishment where the product was prepared, and, unrestricted by any of the foregoing, other information as the department may require by rule to assure that the meat or poultry product will not have false or misleading labeling and that the public will be informed of the manner of handling required to maintain the meat or poultry product in a wholesome condition.

(28) (a) "Nonamenable species" means a member of a species that is:

(i) not included in the definition of amenable species; and

(ii) domestically raised.

(b) "Nonamenable species" includes domesticated game, as defined in Section 4-32a-201.

~~[(27)]~~ (29) "Official certificate" means any certificate prescribed by rules of the department for issuance by an inspector or other person performing official functions under this chapter.

~~[(28)]~~ (30) "Official device" means a device prescribed or authorized by the commissioner for use in applying an official mark.

~~[(29)]~~ (31) "Official establishment" means an establishment at which inspection of the slaughter of animals or the preparation of meat or poultry products is maintained under the authority of this chapter.

~~[(30) "Official inspection" means where domestic animals are slaughtered or preparations for slaughter are carried out under grant of inspection that is issued by the department.]~~

(32) (a) "Official inspection" means mandatory inspection, carried out under grant of inspection issued by the department, of a slaughtered animal or preparation for slaughtering an animal, if the animal is intended for human consumption.

(b) "Official inspection" does not apply to custom exempt processing or farm custom slaughter.

~~[(31)]~~ (33) "Official inspection legend" means a symbol prescribed by rules of the department showing that a meat or poultry product was inspected and passed in accordance with this chapter.

~~[(32)]~~ (34) "Official mark" means the official legend or other symbol prescribed by rules of the department to identify the status of an animal carcass or meat or poultry product

HB0412S04 compared with HB0412S03

under this chapter.

~~[(33)]~~ (35) "Pesticide chemical," "food additive," "color additive," and "raw agricultural commodity," have the same meanings for purposes of this chapter as ascribed to them in the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. Sec. 301 et seq.

~~[(34)]~~ (36) "Postmortem inspection" means an inspection of a slaughtered food animal's carcass after slaughter.

~~[(35)]~~ (37) "Poultry" means any domesticated bird, whether living or dead.

~~[(36)]~~ (38) "Poultry product" means any product capable of use as human food that is made wholly or in part from any poultry carcass, excepting products that contain poultry ingredients in relatively small proportion or that historically have not been considered by consumers as products of the poultry food industry, and that are exempted from definition as a poultry product by the commissioner.

~~[(37)]~~ (39) "Prepared" means slaughtered, canned, salted, stuffed, rendered, boned, cut up, or otherwise manufactured or processed.

~~[(38)]~~ (40) "Process" means to cut, grind, manufacture, compound, smoke, intermix, or prepare meat or poultry products.

~~[(39)]~~ (41) "Renderer" means any person engaged in the business of rendering animal carcasses, or parts or products of animal carcasses, except rendering conducted under inspection or exemption under this chapter.

~~[(40)]~~ (42) "Slaughter" means:

(a) the killing of an animal, amenable species, or nonamenable species in a humane manner including skinning or dressing; or

(b) the process of performing any of the specified acts in preparing an animal, amenable species, or nonamenable species for human consumption.

~~[(41)]~~ "Wild game" means an animal, ~~the products of which are food that is not classified as a domesticated food animal, captive game animal, or captive game bird, including the following when not domesticated:]~~

~~[(a) deer;]~~

~~[(b) elk;]~~

~~[(c) antelope;]~~

~~[(d) moose;]~~

HB0412S04 compared with HB0412S03

~~[(e) bison;]~~

~~[(f) bear;]~~

~~[(g) rabbit;]~~

~~[(h) squirrel;]~~

~~[(i) raccoon; and]~~

~~[(j) birds.]~~

(43) "Wild game" means a species, the products of which are food, that is not classified as an amenable species or nonamenable species, including:

(a) a deer;

(b) an elk;

(c) an antelope;

(d) a moose;

(e) a bison;

(f) a rabbit; and

(g) a bird.

Section ~~{4}~~2. Section **4-32-107** is amended to read:

4-32-107. Meat establishment and farm custom slaughter licenses -- Application -- Fees -- Expiration -- Renewal.

(1) A person may not operate a meat establishment in the state without a meat establishment license issued by the department.

(2) (a) Application for a license to operate a meat establishment shall be made to the department upon a form prescribed and furnished by the department.

(b) Upon receipt of a proper application, compliance with all applicable rules, and the payment of an annual license fee determined by the department according to Subsection 4-2-103(2), the commissioner, if satisfied that the public convenience and necessity will be served, shall issue a license allowing the applicant to operate a meat establishment through December 31 of the year in which the license is issued, subject to suspension or revocation for cause.

(c) A meat establishment license is annually renewable on or before December 31 of each year, upon the payment of an annual license renewal fee in an amount determined by the department according to Subsection 4-2-103(2).

HB0412S04 compared with HB0412S03

(3) (a) Application for a farm custom slaughter license to engage in the business of slaughtering livestock or a nonamenable species shall be made to the department on a form prescribed and furnished by the department.

(b) Upon receipt of a proper application, compliance with all applicable rules, and payment of a license fee in an amount determined by the department according to Subsection 4-2-103(2), the commissioner shall issue a license allowing the applicant to engage in farm custom slaughtering.

(c) A farm custom slaughter license is annually renewable on or before December 31 of each year, upon the payment of an annual renewal license fee in an amount determined by the department according to Subsection 4-2-103(2).

Section ~~5~~3. Section **4-32-108** is amended to read:

4-32-108. Duties of person who holds a farm custom slaughter license.

Each person who holds a farm custom slaughter license shall:

(1) keep accurate records of each animal or a nonamenable species slaughtered, including:

(a) the name, address, and telephone number of each person for whom the animal or a nonamenable species is slaughtered;

(b) a full description of each animal or a nonamenable species slaughtered including age, brands, marks, or other identifying marks, proof of ownership, and the destination of the carcass for processing; and

(c) the date of slaughter;

(2) require that each animal presented for slaughter bear a farm custom slaughter NOT FOR SALE tag;

(3) render the animal to be slaughtered insensible to pain by captive bolt, gunshot, electric shock, or other humane means before it is shackled, hoisted, thrown, cast, or cut; and

(4) stamp and tag the carcass of any slaughtered animal "Not For Sale."

Section ~~6~~4. Section **4-32a-101** is enacted to read:

CHAPTER 32a. DOMESTICATED GAME SLAUGHTER AND PROCESSING

Part 1. General Provisions

4-32a-101. Title.

This chapter is known as "Domesticated Game Slaughter and Processing."

HB0412S04 compared with HB0412S03

Section ~~{7}~~5. Section 4-32a-102 is enacted to read:

4-32a-102. Definitions.

Reserved

Section ~~{8}~~6. Section 4-32a-201 is enacted to read:

Part 2. Domesticated Game Slaughter and Processing

4-32a-201. Definitions.

As used in this part:

- (1) "Antemortem inspection" means the inspection of live domesticated game immediately before slaughter.
- (2) "Domesticated game" means one of the following that is commercially raised for wholesale or retail sale to a restaurant, store, or end consumer:
 - (a) a domesticated elk;
 - (b) a bison;
 - (c) a game bird; or
 - (d) a rabbit.
- (3) "Domesticated game carcass" means any part of the slaughtered body of domesticated game, including entrails and edible meats.
- (4) "Domesticated game slaughter" means the slaughter of domesticated game that is not regulated under Chapter 32, Utah Meat and Poultry Products Inspection and Licensing Act.
- (5) "End consumer" means an individual who:
 - (a) purchases a product directly from an agricultural operation or a facility licensed to perform custom exempt processing, as defined in Section 4-32-105; and
 - (b) does not resell the purchased product.
- (6) "Farm custom slaughter license" means a farm custom slaughter license issued under Section 4-32-107.
- (7) "Postmortem inspection" means the inspection of a domesticated game carcass after slaughter.
- (8) "Process" means to cut, grind, manufacture, compound, smoke, intermix, or prepare products from a domesticated game carcass.
- (9) "Slaughter" means killing domesticated game in a humane manner, including skinning or dressing.

HB0412S04 compared with HB0412S03

(10) "Veterinarian" means a veterinarian licensed under Title 58, Chapter 28, Veterinary Practice Act, who has successfully completed formal training in antemortem inspection and postmortem inspection.

(11) "Veterinarian designee" means an individual designated by a veterinarian as successfully completing formal training in antemortem inspection and postmortem inspection.

Section ~~4-32a-201~~7. Section **4-32a-202** is enacted to read:

4-32a-202. Domesticated game slaughter and processing.

(1) Except as provided in this part, the Federal Meat Inspection Act, 21 U.S.C. Sec. 601 et seq., or the Poultry Products Inspection Act, 21 U.S.C. Sec. 451 et seq., a person may not slaughter domesticated game for:

(a) wholesale or retail sale; or

(b) sale to an end consumer.

(2) In accordance with this part and department rule, the department shall permit the slaughter and processing of domesticated game.

(3) This chapter does not apply to the slaughter of domesticated game if the purpose of slaughtering the domesticated game is for personal use.

(4) Nothing in this part prohibits a person from processing a domesticated game carcass in accordance with this part, if:

(a) the domesticated game carcass passes postmortem inspection as described in this part; and

(b) (i) the person holds a farm custom slaughter license; or

(ii) the person processes the domesticated game carcass in accordance with the exemption described in 9 C.F.R. Secs. 303.1(d)(1) and (2).

(5) A person who slaughters domesticated game under this part may not sell the domesticated game outside of the state.

Section ~~4-32a-202~~8. Section **4-32a-203** is enacted to read:

4-32a-203. Notice to department before slaughtering or processing domesticated game.

(1) Before slaughtering domesticated game, a person shall notify the department at least 30 days before the day on which the person slaughters the domesticated game.

(2) Before processing slaughtered domesticated game, a person shall notify the

HB0412S04 compared with HB0412S03

department at least 5 days before the day on which the person processes the slaughtered domesticated game.

Section ~~{11}~~9. Section 4-32a-204 is enacted to read:

4-32a-204. Inspection and slaughter of domesticated game.

(1) Except as provided in Section 4-32a-205, domesticated game shall receive both an antemortem inspection and postmortem inspection by a veterinarian or veterinarian designee as part of the slaughtering process, in accordance with this section.

(2) A veterinarian or veterinarian designee may complete an antemortem inspection or postmortem inspection in the field, in accordance with the requirements of this part.

(3) (a) Before undertaking an antemortem inspection or postmortem inspection, a veterinarian or veterinarian designee shall inspect the designated slaughter area and facilities in accordance with this part and department rule.

(b) A veterinarian or veterinarian designee may not undertake an antemortem or postmortem inspection if the designated slaughter area and facilities do not pass the inspection described in Subsection (3)(a).

(4) If domesticated game requires an antemortem inspection and the domesticated game does not pass the antemortem inspection, the domesticated game may not be slaughtered for wholesale or retail sale.

(5) (a) Before being shackled, hoisted, thrown, cast, or cut, domesticated game shall be rendered insensible to pain by a single blow, gunshot, electrical shock, or other means that is instantaneous and effective.

(b) Immediately after domesticated game is stunned or killed, the domesticated game or domesticated game carcass shall be shackled, hoisted, stuck, and bled.

(c) The parts of a domesticated game carcass shall be identified with the particular carcass until after completion of the postmortem inspection, in accordance with department rule.

(6) (a) Postmortem inspection of a domesticated game carcass shall be conducted immediately following the slaughter and evisceration of the domesticated game.

(b) A veterinarian or veterinarian designee that completes a postmortem inspection shall, if condemning a domesticated game carcass:

(i) mark each domesticated game carcass or part of a domesticated game carcass as

HB0412S04 compared with HB0412S03

condemned in accordance with department rule; and

(ii) retain custody of each condemned domesticated game carcass or carcass part until proper disposal occurs, in accordance with 9 C.F.R. Part 314 and department rule.

Section ~~{12}~~10. Section **4-32a-205** is enacted to read:

4-32a-205. Requirements for slaughtered domesticated game intended for sale to an end consumer.

(1) Domesticated game intended for sale to an end consumer does not require an antemortem inspection.

(2) Domesticated game intended for sale to an end consumer shall:

(a) receive a postmortem inspection; or

(b) in accordance with department rule, prior to sale, be labeled that the purchased product is not certified, licensed, regulated, or inspected by the state.

Section ~~{13}~~11. Section **4-32a-206** is enacted to read:

4-32a-206. Transportation of slaughtered domesticated game.

(1) Prior to transport, stunned or slaughtered domesticated game shall be tagged as described in department rule.

(2) A domesticated game carcass intended for processing shall be transported in accordance with department rule.

Section ~~{14}~~12. Section **4-32a-207** is enacted to read:

4-32a-207. Fees set by department -- Cost of chronic wasting disease testing.

(1) The department shall adopt a schedule of fees to cover the cost of this part.

(2) The owner of domesticated game slaughtered under this part is responsible for the cost of required chronic wasting disease testing.

Section ~~{15}~~13. Section **4-32a-208** is enacted to read:

4-32a-208. Rulemaking.

(1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and this part, the department shall make rules regarding:

(a) antemortem inspection, in accordance with 9 C.F.R. Sec. 352.10;

(b) postmortem inspection of the domesticated game carcass to ensure the domesticated game carcass is clean and wholesome, including inspection of the kidneys and abdominal and thoracic viscera;

HB0412S04 compared with HB0412S03

(c) slaughter area and facilities requirements;

(d) personal cleanliness of individuals involved in domesticated game slaughter;

(e) skinning, hoisting, bleeding, and evisceration of domesticated game animals;

(f) chronic wasting disease testing requirements, surveillance, investigation, and follow-up, in accordance with department rule;

(g) tags and tagging procedure to maintain carcass identification;

(h) procedure for transportation of a domesticated game carcass; and

(i) packaging and labeling of domesticated game products.

(2) The department may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, regarding labeling a domesticated game carcass as slaughtered:

(a) with inspection and processed at a farm custom slaughter facility; or

(b) with inspection and the domesticated game carcass released to a licensed food establishment for processing and sale to a consumer.

(3) The department shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act that allow:

(a) a person with a farm custom slaughter license to slaughter and process domesticated game in accordance with this part; and

(b) a facility licensed to perform custom exempt processing, as defined in Section 4-32-105, to process slaughtered domesticated game in accordance with this part.