

Selling Raw Meat

General Information

This guide covers rules and regulations those wishing to sell meat products should be aware of, but is not a complete guide. In this section you will find rules covering livestock care standards (p. 45), animal diseases (p. 46), and processing plant licensing (p. 47). Later in the section you will find rules and exemptions that are specific to the processing and sale of “red meat” such as beef, pork, or lamb (p. 52) as well as rules and exemptions that are specific to the processing and sale of poultry products (p. 55).

The purpose of this section is to provide you with an overview of the rules and regulations you may encounter as you look to process and sell the livestock raised on your farm. Anyone wishing to produce and sell their own meat products should seek guidance from the appropriate regulatory agencies for more information specific to their operation.

Livestock Care Standards¹

Before addressing the legal requirements for processing and selling meat products, it is important to address the responsibilities associated with raising livestock. Ohio’s Livestock Care Standards Board is responsible for adopting rules governing the well-being of livestock by considering factors such as best management practices, biosecurity, the prevention of disease, animal morbidity, food safety practices, affordable food supply, and generally accepted veterinarian practices (though the ODA director controls all of the processing standards).² General livestock care standards include:

- Regular access to food and water to allow normal body condition and growth.³
- Housing facilities must be designed in a manner meant to minimize injury and bruising.⁴
- Animals must be moved and sorted in a humane way, with the use of devices such as electric prods to be used only in the manner allowed by law.⁵



- Animals are not permitted to be maliciously or recklessly thrown, dropped, or dragged by their handlers and no handler shall pick up livestock by the ears or tail in a distressing manner.⁶
- Humane and approved euthanasia processes must always be used followed by proper carcass disposal.⁷
- Proper monitoring, health care and treatment of animals, including proper adherence to medication label instructions for administration, dosage, storage, and withdrawal times.⁸
- Humane transportation methods and equipment.⁹
- Proper care for disabled, non-ambulatory disabled or distressed livestock.¹⁰

Standards have also been created to address species and industry specific care for equine species,¹¹ veal,¹² alpacas and llamas,¹³ dairy cattle,¹⁴ beef cattle,¹⁵ swine,¹⁶ poultry layers,¹⁷ poultry broilers and breeders,¹⁸ turkeys and turkey breeders,¹⁹ sheep,²⁰ and goats.²¹

- 6 OAC 901:12-3-03
- 7 OAC 901:12-3-04; 901:12-1. See also 7 USC 1901, 1902
- 8 OAC 901:12-3-05
- 9 OAC 901:12-3-06
- 10 OAC 901:12-4
- 11 OAC 901:12-15
- 12 OAC 901:12-5
- 13 OAC 901:12-14
- 14 OAC 901:12-6
- 15 OAC 901:12-7
- 16 OAC 901:12-8
- 17 OAC 901:12-9
- 18 OAC 901:12-10
- 19 OAC 901:12-11
- 20 OAC 901:12-12
- 21 OAC 901:12-13

¹ Note, this is a general overview of standards relevant to small scale operations. Operators reaching a higher number of animals will need to evaluate the need for permits under ORC 903.

² ORC 904.03, 904.08

³ OAC 901:12-3-02

⁴ OAC 901:12-3-03(A)

⁵ OAC 901:12-3-03(D)

Livestock care standards are independent from animal cruelty laws, with livestock care standards being enforced by ODA. Violations of Ohio livestock care standards can result in penalties ranging from \$500 to \$5,000 plus the cost incurred by ODA to investigate.²² Livestock care rules can be found in OAC 901:12 or on ODA's website: ofb.ag/livestockcarestandards.

Animal Diseases

Monitoring livestock health and identifying diseased animals is not only an important practice to maintain animal welfare, but it is also vital to the industry as a whole. It is not legal to sell to another person an animal that a person knows, or has reason to know, is infected with any dangerously contagious or infectious disease or a disease of concern or is adulterated with a residue. Under Ohio law, if any person has reason to suspect the existence of a dangerously contagious or infectious disease, a disease of concern, or a residue, the person must immediately notify ODA or a licensed veterinarian.²³ A "dangerously contagious or infectious disease" is any disease, including any foreign animal disease, or vector, that the Ohio director of agriculture determines to be of harmful effect on the animal or poultry industry or the public health and to be capable of transmission by any means from a carrier animal to a human or to another animal.²⁴ A "disease of concern" means any disease, including any foreign animal disease, or vector, that the director determines may have an adverse impact on the animal or poultry industry or to the public health in this state, but that is not a disease that is reportable to the United States Department of Agriculture.²⁵

ODA is responsible for protecting and promoting animal health and it does so through livestock and poultry testing and inspection, licensing, controlling animal diseases in Ohio, and providing veterinary diagnostic laboratory services. ODA has the authority to conduct investigations, including inspection of the animal owner's property or requiring the quarantine of animals. Investigations may be prompted by reports of suspected animal diseases or if ODA has reasonable suspicion that a dangerously infectious disease is present.²⁶ If a person refuses to allow ODA access to their property to inspect the premises, ODA may order the slaughter or impound of the animal suspected to be infected.²⁷

Diseases currently listed as reportable are:²⁸

- Anthrax
- Bluetongue
- Burcellosis (abortus, canis, melitensis, suis)
- Ceratomyxosis

- Contagious equine metritis
- Eastern equine encephalomyelitis
- Equine herpes virus 1 (clinical or exposed neurological disease)
- Equine infectious anemia
- Equine piroplasmosis (babesia caballi, theileria equi)
- Foot and mouth disease
- Fowl typhoid
- Highly pathogenic avian influenza
- Hog cholera
- Infectious encephalomyelitis (poultry)
- Infectious hematopoietic necrosis
- Infectious laryngotracheitis
- Infectious pancreatic necrosis
- Infectious salmon anemia
- Lymphocytic choriomeningitis virus
- Monkeypox
- Mycoplasma gallisepticum (turkeys)
- Newcastle disease
- Poultry chlamydiosis-ornithosis
- Poultry paramyxovirus (other than Newcastle)
- Proliferative kidney disease
- Pseudorabies
- Psoroptic cattle scabies
- Psoroptic sheep scabies
- Rabies
- Salmonella pullorum
- Scrapie
- Transmissible spongiform encephalopathies
- Tuberculosis
- Venezuelan equine encephalomyelitis
- Vesicular exanthema
- Viral hemorrhagic septicemia
- Whirling disease (myxobolus cerebralis)

Ante-Mortem Inspection of Animal Health

Prior to slaughter, healthy animals must be properly transported to a processing facility. Livestock in transit to a facility must be provided with food, water, and rest every 28 hours.²⁹ The unloading of animals should be done in a manner that limits the excitement and discomfort of the animals, and livestock should not be forced to move faster than a walking speed.³⁰ Inspectors must perform an ante-mortem inspection prior to livestock being granted entry into any department of the establishment where they are to be slaughtered or where edible products are handled.³¹ Animals found to be dead or dying, plainly showing symptoms of disease, or seriously crippled or non-ambulatory³² must be condemned and/or

22 OAC 901:12-2-01

23 ORC 941.06

24 ORC 941.01(A)

25 ORC 941.01(B)

26 ORC 941.04

27 ORC 941.043

28 OAC 901:1-21-02

29 49 U.S.C. 80502

30 9 CFR 313.2

31 9 CFR 309.1

32 Non-ambulatory disabled livestock are livestock that cannot rise from a recumbent position or that cannot walk, including, but not limited to, those with broken appendages, severed tendons or ligaments, nerve paralysis, fractured vertebral column, or metabolic conditions. 9 CFR 309.2(b).

properly disposed of. Some examples of conditions that will lead to the condemnation of animals include:

- Plainly showing disease that would cause the disposal of the carcass upon the post-mortem inspection. This includes animals presenting with arthritis, abrasions, bruises, abscesses, mange, scabs, emaciation, anemia, and other diseases.
- Showing symptoms of certain metabolic, toxic, nervous, or circulatory disturbances, nutritional imbalances, or infectious or parasitic diseases.³³
- Any swine having a temperature of 106 °F. or higher and any cattle, sheep, or goats having a temperature of 105 °F.
- Comatose or semi-comatose condition
- Positive test for leptospirosis or anaplasmosis
- Reaction to the tuberculin test, unless labeled as an official “USDA Reactor”
- Affected with epithelioma of the eye
- Affected with anasarca*
- Hogs affected with swine erysipelas*
- Affected with vesicular exanthema or vesicular stomatitis*

*Animals presenting symptoms may be able to undergo supervised treatment or observation and be released for any purpose.

Post-Mortem Inspection of Carcass

Post-mortem inspection of the carcass must also occur to ensure the safety and wholesomeness of the product. Inspectors will examine the carcass and organs to detect any abnormalities, diseases, or other conditions that may render the meat adulterated.³⁴ Federal law deems a carcass, part thereof, meat or meat food product to be adulterated under one or more of the following circumstances:

- It bears or contains any poisonous or deleterious substance which may render it injurious to health;
- It 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;
- It has been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health;
- It is, in whole or in part, the product of an animal which has died otherwise than by slaughter;
- Its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health;

- It has been intentionally subjected to radiation, unless the use of the radiation was in conformity with a regulation or exemption;
- If any valuable constituent has been in whole or in part omitted or abstracted therefrom; or if any substance has been substituted, wholly or in part therefore; or if damage or inferiority has been concealed in any manner; or if any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality or strength, or make it appear better or of greater value than it is; or
- It is margarine containing animal fat and any of the raw material used therein consisted in whole or in part of any filthy, putrid, or decomposed substance.³⁵

Harvesting and Processing Facility Licensing and Inspection

Generally, in order for any cut of raw meat to be eligible for sale to consumers, the product must be processed by a licensed and inspected harvesting and processing facility. There are several different categories a facility may operate under: 1) ODA Fully Inspected Operator License,³⁶ 2) ODA Custom Exempt Operator License, 3) ODA Voluntary Inspection License, & 4) USDA Fully Inspected Facilities.

Federally Inspected Facility

USDA's Food Safety and Inspection Service is responsible for ensuring that meat and poultry products are safe, wholesome, and properly labeled. In order to be eligible to enter interstate commerce, a product must be processed at a USDA inspected facility or a facility that is a Cooperative Interstate Shipping Program participant.³⁷ Federal inspectors conduct day-to-day plant inspections to verify continued compliance with federal standards, observing the process from the ante-mortem inspection to the post-mortem inspection.

The Federal Meat Inspection Act and its accompanying regulations provide the standards, rules, and procedures that a facility slaughtering and/or processing meat must follow.³⁸ These mandatory guidelines cover topics including facility inspection,³⁹ sanitation,⁴⁰ pre and post-mortem inspections,⁴¹ the humane handling and slaughter of livestock,⁴² adulteration and misbranding standards,⁴³ disposal of diseased or otherwise adulterated carcasses and parts,⁴⁴ sales and recalls,⁴⁵ marking

35 21 U.S.C. 601

36 ODA operated facilities may also be a participant in the Federal CIS Agreement.

37 ODA holds a CIS agreement with USDA which allows facilities with less than 25 employees that have met certain minimum federal requirements to produce products for interstate commerce. For more information see <https://www.fsis.usda.gov/inspection/state-inspection-programs/cooperative-interstate-shipping-program>.

38 21 U.S.C. 601-695, 9 CFR 300-599

39 9 CFR 307, 318,

40 9 CFR 416

41 21 U.S.C. 603, 604; 9 CFR 309, 310

42 21 U.S.C. 610, 9 CFR 313

43 9 CFR 301

44 21 U.S.C. 610, 9 CFR 311

45 21 U.S.C. 610....

33 Diseases can be found in 9 CFR 311. Notably, symptoms of anaplasmosis, ketosis, leptospirosis, listeriosis, parturient paresis, pseudorabies, rabies, scrapie, tetanus, grass tetany, transport tetany, strangles, purpura hemorrhagica, azoturia, infectious equine encephalomyelitis, toxic encephalomyelitis (forage poisoning), dourine, acute influenza, generalized osteoporosis, glanders (farcy), acute inflammatory lameness or extensive fistula should be identified as condemned and disposed of. See also 9 CFR 309.4.

34 9 CFR 310

and labeling,⁴⁶ record keeping,⁴⁷ consumer protection standards, and other food safety standards.⁴⁸

Major cuts of meat processed in a federally inspected facility that have passed inspection will receive a standard “inspected and passed” mark or stamp, while products that do not pass will receive a “inspected and condemned” mark or stamp.⁴⁹ USDA inspection stamps and USDA grading are two separate processes. While USDA inspection (or CIS inspection) is required for the interstate sale of products, USDA grading is an optional service that certifies meat is of a particular quality.⁵⁰ It is unlawful to place the official inspection legend or any other official mark on any product or product container except under the supervision of a federally approved program employee.⁵¹

For more information about standards and inspections for federal facilities, please visit USDA’s FSIS website: ofb.ag/federalmeatinpection.

ODA Fully Inspected Operators

An establishment that has been licensed as a fully inspected operator with ODA is able to produce products eligible for sale to the general public only within the state of Ohio.⁵² Fully inspected facilities are monitored by the Ohio Department of Agriculture, Division of Meat Inspection, with ODA inspectors being present at the facility each day it is processing a product intended for sale.⁵³ Fully inspected operator licenses come with a fee of \$100 and must be renewed annually by March 31.⁵⁴ Applications can be requested from and submitted to the Ohio Department of Agriculture Meat Inspection Division.⁵⁵

On-site surveys for facility compliance will evaluate all relevant categories of requirements, marking them as 1) compliant with regulations, 2) a potential area of food safety concern, or 3) an area of critical concern. Categories surveyed include:

- Required documentation: Written sanitation SOP, written HACCP Plan, Water Potability Certificate, Sewage Certificate, other certificates, food defense plan, and recall plans.
- Marks of inspection: labels, brands, and security for accountable items.
- Building construction: Building, structures, rooms, floors, walls, ceilings, doors, ventilation, separation of official & non-official spaces, and facilities for employees.
- Plumbing: water and supply distribution, and drains.
- Safety: hazards.
- Facilities and equipment: welfare, outside premise (pests),

46 21 U.S.C. 619, 9 CFR 316, 412

47 21 U.S.C. 642, 9 CFR 320

48 9 CFR 441

49 21 U.S.C. 606

50 7 CFR 53, 54

51 9 CFR 316.3, 317.1

52 In order to sell products outside of Ohio, processing plants must be licensed by the USDA.

53 ORC 918.02

54 ORC 918.08

55 ORC 918.28



storage area, chilling systems, and other production areas.

- Ante-mortem: facilities & lighting, suspect facilities/lighting, and humane handling facilities.
- Post-mortem: facilities & equipment, lighting, retain products facilities, and condemned/ inedible facilities.
- Processing: facilities, retained product facilities, and condemned/inedible facilities.

If, after inspection, ODA finds that an establishment is not in compliance with the relevant rules and laws, an application for a license will be denied.⁵⁶ If a violation is found at a facility that is already licensed, ODA will issue a notice of the violation and allow the facility 10 days to come into compliance before imposing progressive enforcement actions, or revoking or suspending the license.⁵⁷ Violations of certain meat inspection laws will allow for immediate enforcement actions by ODA.⁵⁸

Ohio has adopted a large portion of the Federal Food Safety Inspection Act, making requirements such as written Standard Sanitation Operating Procedures (SSOP), written Hazard Analysis and Critical Control Point Plans (HACCP), and written blueprint narratives for processing and slaughter areas necessary requirements for inspected facilities.⁵⁹

56 ORC 918.28(A)

57 ORC 918.28(B)

58 ORC 918.28(C)

59 OAC 901:2-1

An SSOP must be established and documented at every licensed facility and should consider the following requirements:⁶⁰

- Sanitary Facilities: The regulation requires that processing establishments have facilities, including buildings, fixtures, and equipment, that are designed and maintained in a manner that prevents food contamination. This includes having adequate lighting, ventilation, plumbing, drainage systems, and employee facilities such as dressing rooms and lavatories to ensure cleanliness and prevent the growth of bacteria. Pest management in a manner that is safe and effective for a food processing facility is also imperative to prevent the harborage and breeding of pests. This may involve implementing preventive measures, such as proper waste management, sealing entry points, and using approved pesticides.⁶¹
- Equipment and Utensils: Processing establishments must have equipment and utensils that are clean, maintained in good repair, and sanitary. Equipment surfaces that come into contact with food must be made of materials that are corrosion-resistant and non-toxic. They must be cleaned and sanitized regularly to prevent cross-contamination.⁶²
- Cleaning and Sanitizing: Processing establishments have effective procedures for cleaning and sanitizing all areas, equipment, and utensils to protect against adulteration during processing, handling, storage, loading, unloading and transport. This includes establishing protocols for the frequency of cleaning, the use of appropriate cleaning agents, and the verification of cleanliness.⁶³
- Employee Hygiene: Employees involved in the processing of meat and poultry products maintain a high level of personal hygiene. This includes following proper handwashing practices, wearing clean and appropriate clothing, and taking necessary precautions to prevent contamination. Any person who has or appears to have an infectious disease, open lesions, including boils, sores, or infected wounds, or any other abnormal source of microbial contamination, must be excluded from any operations which could result in product adulteration and the creation of insanitary conditions until the condition is corrected.⁶⁴
- SSOP: Establishments must develop, implement, and maintain SOPs for sanitation that will be conducted daily in order to prevent direct contamination or adulteration of products.⁶⁵
- Record Keeping: Establishments are required to maintain records that document their compliance with the sanitation requirements. These records should include details of

cleaning procedures, frequency, and results of testing or verification activities.⁶⁶

Facilities must also create and implement a HACCP plan which identifies potential food safety hazards likely to occur in the production process and identifies measures to control these hazards.⁶⁷ HACCP plans should consider the following:

- Hazard Analysis: A thorough hazard analysis that identifies biological, chemical, and physical hazards that may be reasonably likely to occur. This analysis helps in determining critical control points (CCPs).⁶⁸
- Critical Control Points (CCPs): Establishments must identify CCPs, which are specific steps in the process where control measures can be applied to prevent, eliminate, or reduce identified hazards to an acceptable level.⁶⁹
- Establishing Critical Limits: Critical limits are established for each CCP, which are specific criteria or values that must be met to ensure food safety. These limits are based on scientific principles and are designed to prevent, reduce, or eliminate the identified hazards.⁷⁰
- Monitoring: Establishments must monitor the CCPs to ensure they are within the established critical limits. Monitoring involves conducting measurements or observations and recording the results to ensure the process is under control.⁷¹
- Corrective Actions: If a deviation from a critical limit occurs, establishments must take appropriate corrective actions to address the deviation, restore control, and prevent the distribution of unsafe food.⁷²
- Verification: Establishments are required to conduct verification activities to ensure the HACCP system is functioning effectively. Verification includes procedures such as reviewing records, conducting audits, and reassessing the HACCP plan.⁷³
- Record Keeping: Establishments must maintain records documenting the implementation of the HACCP system, including the hazard analysis, CCPs, critical limits, monitoring activities, corrective actions, and verification procedures.⁷⁴

Written blueprint narratives for slaughter and processing areas are also required in order to be a fully licensed facility. These written narratives will include descriptions of various aspects related to the business such as:

- Location and contact information
- The flow of operation
- Lighting
- Ventilation

60 USDA SSOP guideline <https://www.fsis.usda.gov/guidelines/2020-0009>
 61 9 CFR 416.2
 62 9 CFR 416.3
 63 9 CFR 416.4
 64 9 CFR 416.5
 65 9 CFR 416.11, 416.12, 416.13, 416.14

66 9 CFR 416.16
 67 9 CFR 417
 68 9 CFR 417.2
 69 9 CFR 417.2(c)
 70 Id.
 71 9 CFR 417.4
 72 9 CFR 417.3
 73 9 CFR 417.4
 74 9 CFR 417.5

- Refrigeration
- Plumbing
- Sewage
- Dry Storage
- Welfare Facilities
- Slaughter
- Stunning
- Rails and Truck Ways
- Viscera Separation
- Carcass Washing
- Retention Rooms or Compartments
- Species Specific Plans

More information on what is required to be included in a blueprint narrative can be found on ODA's website: <https://agri.ohio.gov/divisions/meat-inspection/licenses/meat-inspection-license-for-fully-inspected-operators>.

Custom Exempt Operator License

Separate from a fully inspected operator license, ODA offers a custom exempt operator license for facilities looking to operate outside of the otherwise strict day-to-day inspection requirements. With less stringent requirements than a fully inspected processing facility, custom exempt operator licensed facilities may offer the service of harvesting and processing poultry and red meat products, but they may not produce products available for sale to consumers in the general market. Products produced under this license must be labeled "not for sale," kept separate from meat products eligible for sale, and may only be delivered to the owner of the animal. Facilities must keep a record of the animals they process under the custom exempt license. Records must include the date of processing, the name of the owner, the address of the owner, the number of animals processed, and the services performed (MI-93 Record).

Facilities operating under this license are required to comply with federal sanitation requirements designed to prevent the creation of insanitary conditions and prevent product adulteration through an SSOP (see above). Custom exempt facilities are not required to develop and implement an HACCP program. Further, unlike Fully Inspected Operators who are required to have a daily ODA inspector visit, Custom Exempt Operators will be covered on a random basis.

On-site surveys for facility compliance will evaluate all relevant categories of requirements, marking them as 1) compliant with regulations, 2) a potential area of food safety concern, or 3) an area of critical concern. Survey categories will generally include an inspection for:

- Required documents such as written sanitation SOPs, water potability certificates, sewage certificates and MI-93 records;
- Marks of inspection and proper labeling;
- Proper building construction and layout;
- Proper plumbing with adequate water supply, distribution, and drainage;

- Proper safety measures in place to address hazards;
- Proper equipment and facilities, including upkeep and maintenance; and
- Proper processing procedures.

Licenses come with a fee of \$100 and must be renewed annually by March 31.⁷⁵ Applications can be requested from and submitted to the Ohio Department of Agriculture Meat Inspection Division.⁷⁶ If, after inspection, ODA finds that an establishment is not in compliance with the relevant rules and laws, an application for a license will be denied.⁷⁷ If a violation is found at a facility that is already licensed, ODA will issue a notice of the violation and allow the facility 10 days to come into compliance before imposing progressive enforcement actions, or revoking or suspending the license.⁷⁸ Violations of certain meat inspection laws will allow for immediate enforcement actions by ODA.⁷⁹

Voluntary Meat Inspection License for Custom Operators⁸⁰

The Voluntary Meat Inspection License is a voluntary licensing and inspection system that allows custom operators to harvest and/or process certain exotic animals under modified regulatory compliance standards with ODA oversight to ensure certain food safety standards are being met. Products produced under this license are eligible to be sold anywhere in the United States. The following food processing facilities may be eligible for a Voluntary Meat Inspection License:

- Bison
- Cervidae, other bovidae, camelidae and hybrids thereof
- Ratites, domestic rabbits
- Monitored captive deer, captive deer with status, or captive deer with certified chronic wasting disease status
- Pheasant
- Quail
- Partridge
- Peafowl
- Grouse
- Captive raised wild turkey
- Captive raised waterfowl
- Other poultry

Voluntarily licensed facilities are required to comply with federal sanitation requirements, which are designed to prevent the creation of insanitary conditions and prevent product adulteration. Standard operating procedures must

⁷⁵ ORC 918.08

⁷⁶ ORC 918.28

⁷⁷ ORC 918.28(A)

⁷⁸ ORC 918.28(B)

⁷⁹ ORC 918.28(C)

⁸⁰ ORC 918.12

be established and documented at every licensed facility and should consider the following requirements:

- **Sanitary Facilities:** The regulation requires that processing establishments have facilities, including buildings, fixtures, and equipment that are designed and maintained in a manner that prevents food contamination. This includes having adequate lighting, ventilation, plumbing, drainage systems, and employee facilities such as dressing rooms and lavatories to ensure cleanliness and prevent the growth of bacteria. Pest management in a manner that is safe and effective for a food processing facility is also imperative to prevent the harborage and breeding of pests. This may involve implementing preventive measures, such as proper waste management, sealing entry points, and using approved pesticides.⁸¹
- **Equipment and Utensils:** Processing establishments must have equipment and utensils that are clean, maintained in good repair, and sanitary. Equipment surfaces that come into contact with food must be made of materials that are corrosion-resistant and non-toxic. They must be cleaned and sanitized regularly to prevent cross-contamination.⁸²
- **Cleaning and Sanitizing:** Processing establishments must have effective procedures for cleaning and sanitizing all areas, equipment, and utensils to protect against adulteration during processing, handling, storage, loading, unloading and transport. This includes establishing protocols for the frequency of cleaning, the use of appropriate cleaning agents, and the verification of cleanliness.⁸³
- **Employee Hygiene:** Employees involved in the processing of meat and poultry products must maintain a high level of personal hygiene. This includes following proper handwashing practices, wearing clean and appropriate clothing, and taking necessary precautions to prevent contamination. Any person who has or appears to have an infectious disease, open lesions, including boils, sores, or infected wounds, or any other abnormal source of microbial contamination, must be excluded from any operations which could result in product adulteration and the creation of insanitary conditions until the condition is corrected.⁸⁴
- **Sanitation Standard Operating Procedures (SOP):** Establishments must develop, implement, and maintain SOPs for sanitation that will be conducted daily in order to prevent direct contamination or adulteration of products.⁸⁵
- **Record Keeping:** Establishments are required to maintain records that document their compliance with the sanitation requirements. These records should include details of cleaning procedures, frequency, and results of testing or verification activities.⁸⁶

81 9 CFR 416.2

82 9 CFR 416.3

83 9 CFR 416.4

84 9 CFR 416.5

85 9 CFR 416.11, 416.12, 416.13, 416.14

86 9 CFR 416.16

Facilities must also create and implement a Hazard Analysis and Critical Control Point plan (HACCP) which identifies potential food safety hazards likely to occur in the production process and identifies measures to control these hazards.⁸⁷ HACCP plans should consider the following:

- **Hazard Analysis:** A thorough hazard analysis that identifies biological, chemical, and physical hazards that may be reasonably likely to occur. This analysis helps in determining critical control points (CCPs).⁸⁸
- **Critical Control Points (CCPs):** Establishments must identify CCPs, which are specific steps in the process where control measures can be applied to prevent, eliminate, or reduce identified hazards to an acceptable level.⁸⁹
- **Establishing Critical Limits:** Critical limits are established for each CCP, which are specific criteria or values that must be met to ensure food safety. These limits are based on scientific principles and are designed to prevent, reduce, or eliminate the identified hazards.⁹⁰
- **Monitoring:** Establishments must monitor the CCPs to ensure they are within the established critical limits. Monitoring involves conducting measurements or observations and recording the results to ensure the process is under control.⁹¹
- **Corrective Actions:** If a deviation from a critical limit occurs, establishments must take appropriate corrective actions to address the deviation, restore control, and prevent the distribution of unsafe food.⁹²
- **Verification:** Establishments are required to conduct verification activities to ensure the HACCP system is functioning effectively. Verification includes procedures such as reviewing records, conducting audits, and reassessing the HACCP plan.⁹³
- **Record Keeping:** Establishments must maintain records documenting the implementation of the HACCP system, including the hazard analysis, CCPs, critical limits, monitoring activities, corrective actions, and verification procedures.⁹⁴

In addition to sanitary requirements, facilities will also need to comply with humane animal handling regulations, labeling requirements, and all relevant sections of chapter 918 of the Revised Code.

Establishments that receive a voluntary state inspection must renew with ODA annually, with the licensing term expiring March 31. Renewals are sent each year by the ODA Division of Meat Inspection. In addition to a \$100 licensing fee, establishments will also be required to pay inspection fees at an hourly rate.

87 9 CFR 417

88 9 CFR 417.2

89 9 CFR 417.2(c)

90 Id

91 9 CFR 417.4

92 9 CFR 417.3

93 9 CFR 417.4

94 9 CFR 417.5

Selling Frozen Livestock/Red Meat

In order to sell typical domestically produced raw red meat such as beef, pork, or lamb in Ohio, the product will need to be harvested and processed by a licensed operator. While Ohio has largely adopted the requirements found in the Federal Meat Inspection Act for Ohio's fully inspected facilities, there are differences in regulations and enforcement.⁹⁵ Only products produced in a USDA or CIS inspected facility may travel across state lines for sale. The sale of products from an ODA inspected facility must remain within the state. In addition to being aware of the inspection level of their processing facility, producers will also need to be aware of the licensing requirements specific to their desired method of sale.

Fully Inspected Operation

In order for a raw meat product to be eligible for sale for human consumption it must be harvested and processed by a fully inspected and licensed operator. Products from USDA inspected facilities may be sold outside of Ohio while products from ODA inspected facilities may only be sold within the state of Ohio. ODA fully inspected facilities that participate in the Cooperative Interstate Shipping Program may operate as federally-inspected facilities to produce products eligible for interstate sale.⁹⁶

Producers that utilize fully inspected facilities may then choose to have their product delivered directly to the consumer or returned to them. A producer that chooses to have the product returned to their farm or home must either store the meat for later sale in an ODA inspected storage facility or use the product for their personal household consumption. It is important to note that a storage area within the home will not be eligible to become a registered warehouse, though a barn or garage may be eligible. Storage areas must be free from chemicals and pests and the equipment must be suitable to maintain the product at the proper temperature. Processed cuts of meat meant for sale should never be stored with any unprocessed animal carcasses.⁹⁷

In order to sell products that have not been delivered directly to consumers from the processing facility, producers may need to obtain a Retail Food Establishment License from their local health department. This includes selling frozen meat products at a farm market, from a mobile freezer, or at a farmers market. A retail food establishment license is not required in situations where frozen meat is pre-ordered and delivered directly to the individual who ordered it without intermediate storage. Individuals should reach out to their local health department to determine their licensing requirements.

I HAVE LIVESTOCK. WHAT ARE MY OPTIONS?

I slaughter and process my own animals on the farm. → Livestock slaughtered at home or on the farm may only be used for household consumption.

I take my livestock to a custom exempt facility for slaughter and processing. → Product labeled "Not for Sale" and delivered directly to the owner/owners of for the purpose of household consumption.

I take my livestock to a fully licensed and inspected facility for slaughter and processing.* → Product labeled with pre-approved custom label or standard facility label and receives inspection stamp.

Frozen meat products may be:

- Delivered direct to the consumer.
- Returned to the owner for personal consumption.
- Delivered to a licensed warehouse to be stored for later sale.
- Sold by a Retail Food Establishment Licensed facility such as an RFE licensed farm market, mobile freezer, or farmers' market.

*Products processed and stamped by a USDA or CIS inspected facility will be eligible for interstate sale while products processed and stamped by an ODA inspected facility are eligible for intrastate sale.

Exemptions from Fully Inspected Facility Requirement

While the general rule is that meat must be processed in a fully inspected facility in order to be used for human consumption, there are several exemptions that may apply.

At home for personal use

Livestock products slaughtered on the farm for personal use may only be for the private use of the owner raising the livestock, members of their household, household non-paying guests, or household employees only.⁹⁸ The slaughter and processing can only be performed by the owner of the livestock in order for the personal use exemption to apply.

Even though the licensing and inspection requirements do not apply to the personal use of livestock meat, it is still unlawful to serve any product that is unfit for human

⁹⁵ ORC 918, OAC 901:2-1

⁹⁶ 9 CFR 332

⁹⁷ ORC 915.09

⁹⁸ 21 U.S.C. 623(a), 21 CFR 303.1(a)(1), ORC 918.10



consumption, misbranded products, or handle the product under any unsanitary conditions.⁹⁹ Additionally, personal exempt meat products may only be consumed for personal use and may not be sold or donated under any circumstance.

Custom Exempt License Operator

Custom Exempt License holders may provide slaughter and processing services to owners of livestock for their exclusive use in the household of the owner, by the owner, members of the owner's household, non-paying guests, and employees.¹⁰⁰ Exempt Operators must keep records documenting the numbers and amount of livestock slaughtered, the types of products prepared, and the names and addresses of the owners of the livestock and products.¹⁰¹

Operators may not slaughter any livestock that would result in food being unfit for human consumption.¹⁰² This includes a prohibition against slaughtering any cattle that arrive in a non-ambulatory disabled state.¹⁰³ Field-dressed livestock may be brought to a Custom Exempt Operator for processing, though the operator may require a written statement confirming the animal was ambulatory at the time of slaughter. Further, operators may not produce any product that would be considered adulterated under the Federal Meat Inspection Act.¹⁰⁴ This means products cannot include specified risk materials such as the skull, brain, trigeminal ganglia, eyes, vertebral column, spinal cord, dorsal root ganglia of cattle 30 months of age or older, and the distal ileum and tonsils from

cattle.¹⁰⁵ These materials and any other inedible material must be disposed of in a manner that would prevent them from entering human food channels. Custom Exempt Operators are also required to comply with the Humane Methods of Livestock Slaughter Act.¹⁰⁶

Facilities that operate as both a Custom Exempt Operation and a Fully Inspected Operation must keep the products separate either by time or by location.¹⁰⁷ Any product created under the custom exemption must be labeled as "Not for Sale" and delivered to the owner.¹⁰⁸ Meat produced under this exemption may only be returned to the owner of the livestock and cannot be sold or donated. Any product not delivered to the owner of the animal must be denatured and identified as not suitable for human consumption.¹⁰⁹

Although the meat produced under this exemption may not be sold to consumers in the traditional sense; whole, half, and quarter cuts may be sold directly to consumers for their personal use. In Ohio, up to four owners may be listed as the owner of an animal when it is delivered for slaughter.¹¹⁰ This means that those wishing to receive meat slaughtered and processed will need to purchase an animal based on the live weight, price-per-head basis, or other quantity pertaining to the live animal with the Custom Exempt Operator only being able to charge a fee for their services. No individual cuts may be sold and no less than a quarter of an animal may be sold under this exemption. An individual licensed as a Custom Exempt Operator who owns livestock may sell a live animal to a buyer and also provide their slaughter and processing services separately.

Custom Exempt products must be delivered directly to the party/parties listed as the owner of the livestock.

Marketing

Misbranded or adulterated products may not be sold. In order to enter into commerce, meat produced at a fully inspected facility must display a label that has been inspected and approved by the proper authority. For federally inspected facilities, no final label may be used on any product unless it has been approved by the FSIS Labeling and Program Delivery staff.¹¹¹ For state inspected facilities, no final label may be used unless it has been approved by ODA Labeling staff.¹¹² Official establishments, both state and federal, are authorized to use generically approved labels as long as all of the mandatory labeling features are present and no there are no special statements or claims such as logos, trademarks, or nutritional claims.¹¹³ Livestock owners may choose to use the facility's

99 21 U.S.C. 623(d)

100 9 CFR 303.1(a)(2)

101 OAC 901:2-1-04(C)(3)

102 9 CFR 303.1(f)

103 9 CFR 309.3(e)

104 9 CFR 303.1(b)(1)

105 Cite FSIS

106 7 U.S.C. 1901-1907, 9 CFR 313

107 OAC 901:2-1-04(C)(2)

108 9 CFR 303.1(a)(iii), 9 CFR 316.16

109 9 CFR 303.1(b)(4)

110 OAC 901:2-1-04(C)(3)

111 9 CFR 412.1

112 OAC 901:2-1-04(N)

113 9 CFR 412.2, OAC 901:2-1-04(N)(4)

generic label or they may choose to create their own and submit an application for label approval. Label approval guidelines for both FSIS inspected facilities and ODA inspected facilities can be found in the “Inspection Label Approval Guideline” available on ODA’s website: <https://agri.ohio.gov/divisions/meat-inspection/inspection-labels>.

Label Requirements:

Products must provide the following information on a label placed on the principal panel of display:¹¹⁴

- **Product name:** All products must be identified by their standard name and properly spelled. If no standard identity is established for a product, then the common or usual name must be used.¹¹⁵
- **Ingredient statement:** If the product is fabricated from two or more ingredients, the word “ingredients” followed by the list of ingredients by their common or usual name arranged in descending order of prominence with multi-ingredient components sublisted. The term “spice” means any aromatic vegetable substance in the whole, broken, or ground form, with the exceptions of onions, garlic and celery, whose primary function in food is seasoning rather than nutritional and from which no portion of any volatile oil or other flavoring principle has been removed.¹¹⁶
- **The name and place of business of the manufacturer, packer, or distributor for whom the product is prepared:** The name or trade name of the person that prepared the product may appear as the name of the manufacturer or packer without qualification on the label. Otherwise the name of the distributor of the product shall be shown with a phrase such as “Prepared for * * *” or “Distributed by ***”.¹¹⁷
- **An accurate statement of the net quantity of contents:** On the lower 30% of the principal panel of display with proper size and spacing. This cannot include any term qualifying a unit of weight or measure. Except when dealing



114 9 CFR 317.2
115 9 CFR 317.2(c) & 381.117
116 9 CFR 317.2(f)
117 9 CFR 317.2(g)

with packages containing 1 pound or 1 pint and less than 4 pounds or 1 gallon when the statement shall be expressed in ounces or pounds, weight must be expressed in terms of avoirdupois weight or liquid measure. For example, a declaration of $\frac{3}{4}$ pound of avoirdupois weight shall be expressed as “Net Wt. 12 oz.” and a declaration of $1\frac{1}{2}$ pounds of avoirdupois weight shall be expressed as “Net Wt. 24 oz.,” “Net Wt. 1 lb. 8 oz.,” “Net Wt. $1\frac{1}{2}$ lb.,” or “Net wt. 1.5 lbs.”¹¹⁸ USDA permits exceptions from this requirement for individually-wrapped, random-weight, consumer-size packages shipped in bulk containers and certain meat and poultry products subject to shrinkage.

- **An official inspection legend and the number of the official establishment:** An official inspection legend is any symbol prescribed by regulation showing that a carcass or parts of carcasses were inspected and passed by FSIS in an official establishment in accordance with federal regulations. Official establishment numbers are assigned to each establishment granted inspection service.¹¹⁹
- Any other label information in accordance with the special provisions associated with the standards of identity or composition as prescribed.¹²⁰
- **Safe Handling Statement:** Packaged products that require special handling to maintain their wholesome condition must prominently display the applicable handling statement “Keep Refrigerated,” “Keep Frozen,” or “Perishable – Keep Refrigerated or Frozen.”¹²¹
- **Safe Handling Instructions:** Raw or partially cooked meat destined for household consumers or institutional uses must include the following under the heading “Safe Handling Instructions”:
 - “This product was prepared from inspected and passed meat and/or poultry. Some food products may contain bacteria that could cause illness if the product is mishandled or cooked improperly. For your protection, please follow these safe handling instructions.” This statement then should be accompanied by the following statements:
 - “Keep refrigerated or frozen. Thaw in refrigerator or microwave. [This statement must appear next to a graphic illustration of a refrigerator.]
 - Keep raw meat and poultry separate from other foods. Wash working surfaces (including cutting boards), utensils, and hands after touching raw meat or poultry. [This statement must appear next to a graphic illustration of soapy hands under a faucet.]
 - Cook thoroughly. [This statement must appear next to a graphic illustration of a skillet.]

118 9 CFR 317.2(h)
119 9 CFR 312.2 & 317.2
120 9 CFR 319, <https://www.fsis.usda.gov/guidelines/2005-0003>
121 9 CFR 381.125

- Keep hot foods hot. Refrigerate leftovers immediately or discard. [This statement must appear next to a graphic illustration of a thermometer].¹²²

Nutrition labeling is not required for meat products that are single-ingredient, raw, produced by small businesses,¹²³ intended for further processing, not for sale to consumers, prepared and sold at a retailer, and products in small packages (total surface area of less than 12 square inches). However, if a label makes any sort of nutritional claim, such as “low sodium” or “no sugar added,” then the mandatory nutritional labeling requirements will apply.¹²⁴ When required, nutritional panels must include the total calories, calories from fat, total fat, saturated fats, cholesterol, sodium, total carbohydrates, dietary fiber, sugars, protein, vitamin A, vitamin C, calcium, and iron. Voluntary nutrient disclosures include calories from saturated fat, trans fat, stearic acid, polyunsaturated fat, monounsaturated fat, potassium, insoluble fiber, sugar alcohol, other carbohydrates, vitamins, and minerals.¹²⁵ Nutrient and food components must be declared based on a serving size, which is the amount of food customarily consumed per eating occasion.¹²⁶

Special logos, statements and claims, such as claims that a product is “natural,” health claims, claims regarding the raising of animals, claims that a product is organic, ingredient and processing claims, allergen statements, negative claims (that something is not in the product), and claims of geographical significance must be approved by ODA or FSIS.¹²⁷ Label claims must be supported by evidence that the claim is true in order to be approved for use.

¹²² 9 CFR 317.2(l)

¹²³ A company employing 500 or fewer people, specific products produced a 100,000 products per year or less qualifies under this exemption.

¹²⁴ 9 CFR 317.400

¹²⁵ 9 CFR 317.309

¹²⁶ 9 CFR 317.300-317.400

¹²⁷ 9 CFR 412.1

Selling Frozen Poultry Meat

Similar to other meat products, poultry producers who wish to sell their product must utilize the processing services of a licensed inspection plant. However, unlike other meat producers, the law affords some additional exemptions for certain small producers looking to market their poultry products. “Poultry” includes not only chicken, but it also includes pheasant, quail, partridge, peafowl, grouse, captive raised wild turkey, or captive raised waterfowl.¹²⁸ The regulatory authority over the production and sale of raw poultry will vary based on several factors such as flock size or the desired consumer/place of sale. The ODA Division of Meat Inspection is responsible for enforcing Ohio’s rules and regulations at processing facilities while the USDA Food and Safety Inspection Service oversees federally licensed facilities and monitors their regulatory compliance. Local food and safety departments will be responsible for overseeing the licensure of those required to obtain a Retail Food Establishment License in order to sell food within Ohio.

For more general information about the different processing facility licensing standards and requirements please see the “Selling Raw Meat General” or “Licensing” section of this guide.

Regulation

Federal

In order to sell poultry products across state lines, poultry must be processed by a USDA inspected facility in compliance with the federal Poultry Production Inspection Act.¹²⁹

¹²⁸ ORC 918.21, 918.12

¹²⁹ 21 USC 451-472; 9 CFR 381



Unless covered by an exemption, the PPIA covers every establishment where poultry is slaughtered for the purpose of human consumption.¹³⁰ Standards and requirements under this act regulate factors such as facility inspection,¹³¹ worker conditions,¹³² operating procedures,¹³³ ante-mortem inspections,¹³⁴ post-mortem inspections and carcass disposition,¹³⁵ labeling and containers,¹³⁶ and record keeping.¹³⁷

Ohio law

Ohio has largely adopted the rules and regulations found in the PPIA, removing or modifying certain provisions dealing with topics such as exemptions, official markings, imported products, and voluntary inspections.¹³⁸ Unless otherwise exempt, poultry products must be processed by a fully inspected and licensed facility in order to be eligible for sale to consumers.¹³⁹

Fully Inspected Operation

Similar to the processing and sale of other livestock type meats, poultry cuts processed at a fully inspected facility will be eligible for sale for human consumption. Products from USDA inspected facilities may be sold outside of Ohio while products from ODA inspected facilities may only be sold within the state of Ohio. ODA fully inspected facilities that participate in the Cooperative Interstate Shipping Program may operate as federally-inspected facilities to produce products eligible for interstate sale.¹⁴⁰

Producers that utilize fully inspected facilities may then choose to have their product delivered directly to the consumer or returned to them. Upon receiving the product back from the processor, a producer may either use the product for personal consumption or they may store the product in a storage area registered as a warehouse with ODA Food Safety (see Licensing chapter for more information).¹⁴¹ It is important to note that a storage area within the home will not be eligible to become a registered warehouse, though a barn or garage may be eligible. Storage areas must be free from chemicals and pests and the equipment must be suitable to maintain the product at the proper temperature. Processed cuts of poultry meant for human consumption should never be stored with any unprocessed animal carcasses.¹⁴²

In order to sell products that have not been delivered directly to consumers from the processing facility, producers

may need to obtain a Retail Food Establishment License from their local health department. This includes selling frozen meat products at a farm market, from a mobile freezer, or at a farmers market. A retail food establishment license is not required in situations where frozen meat is pre-ordered and delivered directly to the individual who ordered it without intermediate storage. Individuals should reach out to their local health department to determine their licensing requirements.

Exemptions from Fully Inspected Facility Requirement

Personal consumption

Farms that slaughter and process healthy poultry that they have raised on their own premises for their personal or family use are not required to be licensed or inspected.¹⁴³ Poultry slaughtered for personal consumption should be processed and slaughtered under sanitary standards that result in products that are sound, clean, and fit for human consumption.

Custom Exempt Processing

Custom Exempt License holders may provide slaughter and processing services to owners of poultry for their exclusive use in the household of the owner, by the owner, members of the owner's household, non-paying guests, and employees.¹⁴⁴

Poultry processed under this exemption must be healthy at the time of slaughter and processed under sanitary practices that result in a product fit for human consumption.¹⁴⁵ Products must be labeled as "Not for Sale" and delivered only to the owner. If the product is delivered or stored in a shipping container, the container must bear the producer's name and address and the statement "ODA exempt #(4-digit plant number)".¹⁴⁶

Although the poultry cuts produced under this exemption may not be sold to consumers in the traditional sense, whole, half, and quarter cuts may be sold directly to consumers for their personal use. This means that those wishing to receive poultry slaughtered and processed will need to purchase the animal based on the live weight, price-per-head basis, or other quantity pertaining to the live animal, with the Custom Exempt Operator only being able to charge a fee for their services. No individual cuts may be sold and no less than a quarter of an animal may be sold under this exemption. An individual licensed as a Custom Exempt Operator who owns poultry may sell a live animal to a buyer and also provide their slaughter and processing services separately.

Custom Exempt products must be delivered directly to the party/parties listed as the owner of the poultry without intermediate storage.

130 9 CFR 381.6

131 9 CFR 381.16-381.22

132 9 CFR 381.30-381.46

133 9 CFR 381.65

134 9 CFR 381.70-381.75

135 9 CFR 381.76-381.94

136 9 CFR 381.115-381.144

137 9 CFR 381.175-381.182

138 OAC 901:2-3

139 ORC 918.26

140 9 CFR 332

141 ORC 915.02

142 ORC 915.09

143 ORC 918.27(A)(1), 9 CFR 381.10(a), OAC 901:2-3-04(B)(1)

144 OAC 901:2-3-04(B)(2), 9 CFR 381.10(a)

145 OAC 901:2-3-04(B)(2)

146 Id

Poultry Specific Exemptions

The legal compliance requirements for the processing and sale of poultry products will vary based on the exemption a producer falls under or wishes to operate under. Producers should study these exemptions carefully and note the specific legal requirements.

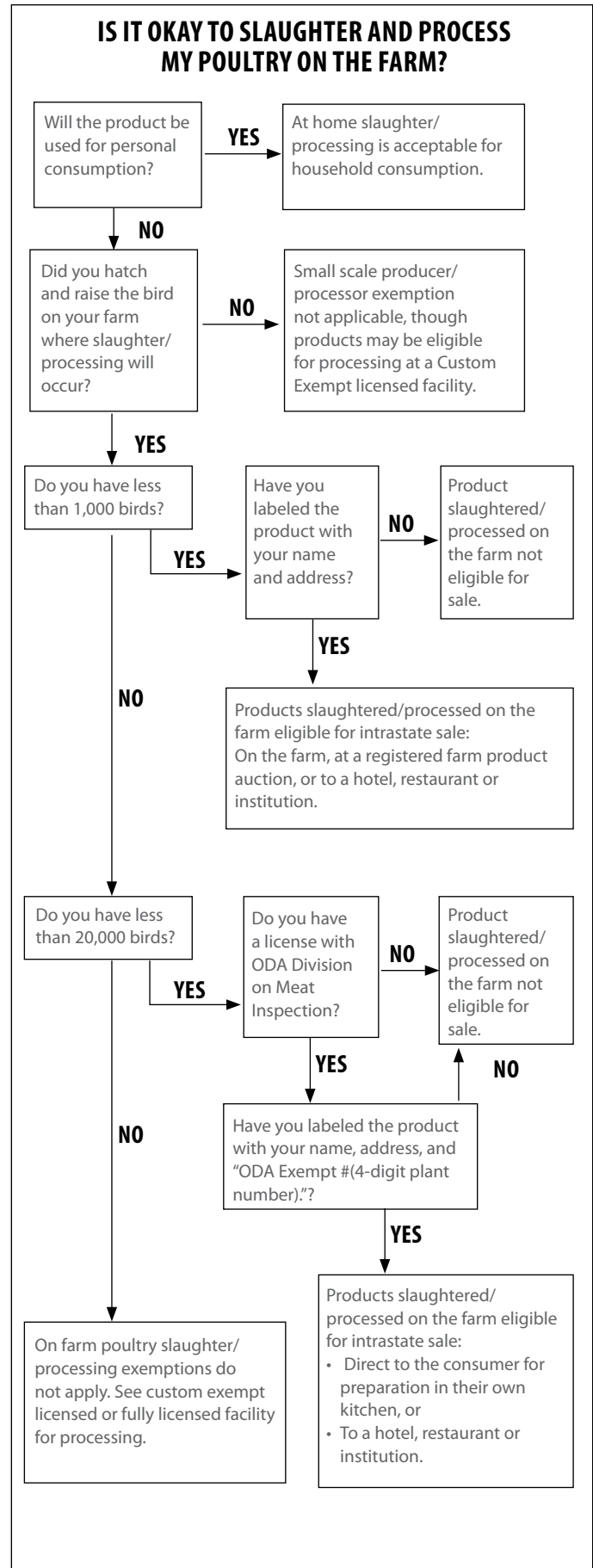
Establishments that produce and sell less than 1,000 birds annually

Processors that grow and slaughter poultry on their own property may be exempt from licensing and inspection requirements when they meet the following requirements:¹⁴⁷

- Less than 1,000 birds are grown and processed annually;
- The birds are hatched and raised on the premises;
- Birds are slaughtered and processed on the premises;
- Only sound and healthy birds are slaughtered for consumption;
- Poultry is sold directly to a hotel, institution, restaurant consumer, or other person for preparation in their own kitchen.¹⁴⁸

Facilities producing poultry products for sale under this exemption may only sell their product within Ohio and must comply with facility sanitary standards and practices that result in food fit for human consumption.¹⁴⁹ Relevant safety practices can be found in 9 CFR 416, which covers conditions dealing with pest control, building construction, lighting, ventilation, plumbing, sewage disposal, water supply, restrooms, equipment, sanitary operations, employee hygiene, maintenance, corrective actions, and more. Producers must also comply with laws dealing with poultry adulteration, misbranding, and record-keeping requirements.¹⁵⁰ Although these facilities may be exempt from licensing and inspection, no producer may deny access to an authorized inspector for the purposes of enforcing applicable meat inspection laws.¹⁵¹

Producers eligible for this exemption may also sell raw dressed poultry alongside other items at a registered farm product auction or at a registered farm market (meaning the market is registered with ODA and/or has an RFE license) on the condition that the individual selling the poultry is also the operator of the farm market.¹⁵² Poultry sold at farm markets must be kept frozen or at an internal temperature of 41 degrees Fahrenheit or less,¹⁵³ be properly labeled, be safe and unadulterated, and be honestly presented.¹⁵⁴ Any equipment or utensil used at a farm market or farm product auction



147 ORC 918.27(A)(4), OAC 901:2-3-04(B) , 9 CFR 381.10(a)(6), (c)
 148 Note, although sales to hotels, restaurants and institutions are allowed under this exemption, these entities usually require that their products come from an "approved"/ licensed source. Anyone wishing to sell to these entities should consider reaching out to their local health department.
 149 OAC 901:2-3-04(B)(3)
 150 ORC 918.27(B), 918.26
 151 ORC 918.26(B)
 152 ORC 3717.22(B), OAC 901:3-6-01(B)
 153 At a farm product auction, poultry may be chilled by submersion in crushed ice. OAC 901:3-6-03
 154 OAC 901:3-6-02

offering raw poultry must be properly cleaned and sanitized in compliance with ODA's three step process, and market personnel must wash their hands before and after handling raw meat.¹⁵⁵

Producers that wish to sell poultry directly from the farm under this exemption need to first label their products with their name and address.

1,000 to 20,000 birds produced and sold annually

Processors that produce between 1,000 to 20,000 birds a year may process and sell raw poultry products if/when they receive a license from ODA Division of Meat Inspection and meet the following requirements:¹⁵⁶

- No more than 20,000 birds are grown and processed annually;
- The birds are hatched or raised from chicks on the farm;
- No live birds are purchased to be processed for sale;
- Only sound and healthy birds are slaughtered for consumption;
- The birds are slaughtered and processed on the farm;
- Poultry is sold directly to a hotel, institution, restaurant consumer, or other person for preparation in their own kitchen.

Facilities producing poultry products for sale under this exemption may only sell their product within Ohio and must comply with facility sanitary standards and practices that result in food that is fit for human consumption.¹⁵⁷ Relevant safety practices can be found in 9 CFR 416, which covers conditions dealing with pest control, building construction, lighting, ventilation, plumbing, sewage disposal, water supply, restrooms, equipment, sanitary operations, employee hygiene, maintenance, corrective actions, and more. Producers operating within this exemption must also comply with laws dealing with poultry adulteration, misbranding, and record keeping requirements.¹⁵⁸

Under this exemption, poultry products may be labeled with the producers name, address, and the statement "ODA exempt #(4 digit plant code)" in lieu of the normal labeling requirements.¹⁵⁹

Marketing and Label

Misbranded or adulterated products may not be transported into commerce for sale.¹⁶⁰ For federally inspected facilities, no final label may be used on any product unless it has been approved by the FSIS Labeling and Program Delivery staff.¹⁶¹ For state inspected facilities, no final label may be used unless it has been approved by ODA Labeling staff. Official establishments, both state and federal, are authorized to use

generically approved labels as long as all of the mandatory labeling features are present and there are no special statements or claims such as logos, trademarks, or nutritional claims. Poultry processed at a fully inspected facility and will be offered for sale must bear a label that provides the following information:¹⁶²

- **The product name:** All products must be identified by their standard name and properly spelled.¹⁶³
- **An inspection legend and the number of the official establishment:** Accurate inspection legend based on where the product was produced and inspected.¹⁶⁴
- **The net weight:** Appears on the lower 30% of principal panel of display with proper size and spacing. This cannot include any term qualifying a unit of weight or measure. Except when dealing with packages containing 1 pound or 1 pint and less than 4 pounds or 1 gallon when the statement shall be expressed in ounces or pounds, weight must be expressed in terms of avoirdupois weight or liquid measure. For example, a declaration of $\frac{3}{4}$ pound of avoirdupois weight shall be expressed as "Net Wt. 12 oz." and a declaration of 1 $\frac{1}{2}$ pounds of avoirdupois weight shall be expressed as "Net Wt. 24 oz.," "Net Wt. 1 lb. 8 oz.," "Net Wt. 1 $\frac{1}{2}$ lb.," or "Net wt. 1.5 lbs."¹⁶⁵
- **The name and place of business of the manufacturer, packer, or distributor for whom the product is prepared:** The name or trade name of the person that prepared the product may appear as the name of the manufacturer or packer without qualification on the label. Otherwise the name of the distributor of the product shall be shown with a phrase such as "Prepared for * * *" or "Distributed by ***."¹⁶⁶
- Any other label information in accordance with the special provisions associated with the standards of identity or composition as prescribed.¹⁶⁷
- **Safe Handling Statement:** Packaged products that require special handling to maintain their wholesome condition must prominently display the applicable handling statement "Keep Refrigerated," "Keep Frozen," or "Perishable – Keep Refrigerated or Frozen."¹⁶⁸
- **Safe handling instructions:**¹⁶⁹ Raw or partially cooked meat destined for household consumers or institutional uses must include one the following under the heading "Safe Handling Instructions" depending on their place of processing:
 - "This product was prepared from inspected and passed meat and/or poultry. Some food products may contain bacteria that could cause illness if the product is mishandled or cooked improperly. For your protection, follow these safe handling instructions." Or

155 OAC 901:3-6-04, 05

156 ORC 918.27, OAC 901:2-3-04(A)(5), 9 CFR 381.10(b)

157 OAC 901:2-3-04(B)(3)

158 ORC 918.27(B), 918.26

159 OAC 901:2-3-04(B)

160 9 CFR 381.181

161 9 CFR 412.1, 383.131

162 9 CFR 381.115 – 381.140

163 9 CFR 381.117

164 9 CFR 381.96, OAC 901:2-3-04(B)(18)-(20)

165 9 CFR 381.121

166 9 CFR 381.122

167 9 CFR 319, <https://www.fsis.usda.gov/guidelines/2005-0003>

168 9 CFR 381.125(a)

169 9 CFR 381.125(b)

- “Some food products may contain bacteria that could cause illness if the product is mishandled or cooked improperly. For your protection, follow these safe handling instructions.”

These statements may then be required to be accompanied by the following language:

- Keep refrigerated or frozen. Thaw in refrigerator or microwave. (Any portion of this statement that is in conflict with the product’s specific handling instructions may be omitted, e.g., instructions to cook without thawing.) (A graphic illustration of a refrigerator shall be displayed next to the statement.);
 - Keep raw meat and poultry separate from other foods. Wash working surfaces (including cutting boards), utensils, and hands after touching raw meat or poultry. (A graphic illustration of soapy hands under a faucet shall be displayed next to the statement.);
 - Cook thoroughly. (A graphic illustration of a skillet shall be displayed next to the statement.); and
 - Keep hot foods hot. Refrigerate leftovers immediately or discard. (A graphic illustration of a thermometer shall be displayed next to the statement.)
- **Ingredient statement:** If the product is fabricated from two or more ingredients, the word “ingredients” followed by the list of ingredients by their common or usual name arranged in descending order of prominence with multi-ingredient components sub listed.¹⁷⁰

Small businesses that offer single-ingredient, raw poultry major cuts that are not ground or chopped are not required to provide nutritional labeling.¹⁷¹ However, if a label makes any sort of nutritional claim, such as “low sodium” or “no sugar added,” then the mandatory nutritional labeling requirements will apply.¹⁷² When required, nutritional panels must include the proper serving size, the total calories, calories from fat, total fat, saturated fats, cholesterol, sodium, total carbohydrates, dietary fiber, sugars, protein, vitamin A, vitamin C, calcium, and iron. Voluntary nutrient disclosures include calories from saturated fat, trans fat, stearic acid, polyunsaturated fat, monounsaturated fat, potassium, insoluble fiber, sugar alcohol, other carbohydrates, vitamins, and minerals. Nutrient and food components must be declared based on a serving size, which is the amount of food customarily consumed per eating occasion.¹⁷³

Special logos, statements and claims, such as claims that a product is “natural,” health claims, claims regarding the raising of animals, claims that a product is organic, ingredient and processing claims, allergen statements, negative claims (that something is not in the product), and claims of geographical

significance must be approved by ODA or FSIS.¹⁷⁴ Label claims must be supported by evidence that the claim is true in order to be approved for use.

Contacts and Resources

Ohio Department of Agriculture Division of Meat Inspection

Phone: (614) 728-6260

Email: meat@agri.ohio.gov

Web: ofb.ag/meatinspection

Ohio Department of Agriculture Division of Animal Health

Phone: (614) 728-6220

Email: OhioLivestockCare@agri.ohio.gov

Web: ofb.ag/livestockcarestandards

Additional Resources

Ohio Revised Code Chapter 918, Meat Inspection:

ofb.ag/chapter918orc

Ohio Administrative Code Section 901:2, Meat

Inspection: ofb.ag/chapter9012orc

ODA Meat Inspection Labeling: ofb.ag/inspectionlabels

ODA List of Inspected Facilities in Ohio:

ofb.ag/inspectioncoveragemap

USDA Federal Meat Inspection Act:

ofb.ag/meatinspectionact

USDA Poultry Products Inspection Act:

ofb.ag/poultryinspectionact

USDA Cooperative Interstate Shipping Program:

ofb.ag/interstateshipping

USDA Basics of Labeling: ofb.ag/labelingbasics

USDA Small Plant Guidance: ofb.ag/smallplantguidance

SDA HACCP Guidebook: ofb.ag/haccpplans

¹⁷⁰ 9 CFR 381.118

¹⁷¹ 9 CFR 317.400 & 381.400(a).

¹⁷² 9 CFR 317.400

¹⁷³ 9 CFR 317.300 – 317.400 & 381.400 – 381.500

¹⁷⁴ 9 CFR 412.1