

MDPH Participation in a Pilot Program on
Mobile Poultry Processing

Final Report

Massachusetts Department of Public Health
Bureau of Environmental Health

December 2009

Table of Contents

I. Background	1
A. Introduction	1
B. Massachusetts Statutory and Regulatory Framework: Massachusetts General Laws and MDPH Regulations related to poultry slaughtering	2
II. The MPPU Pilot Program in Massachusetts	5
III. Lessons Learned	11
A. Resource Impacts	11
B. Logistical Issues	12
IV. Conclusions/Recommendations	13
A. Need for dedicated resources and funding to support continuance of pilot and/or expansion to other MPPUs	14
MDPH offers the following recommendations	14
B. Need for regulatory amendments	14
Tables	15
Appendix: End Notes	17

I. Background

A. Introduction

In response to a request from the Massachusetts Department of Agricultural Resources (MDAR), the Massachusetts Department of Public Health, Bureau of Environmental Health's (MDPH/BEH) Food Protection Program (FPP) agreed to participate in a pilot program aimed at enhancing the opportunity and availability of poultry processing options for small-scale producers. In brief, FPP was tasked with working with local health officials, farmers, and MDAR to determine the feasibility, resource intensity and regulatory authority of establishing a mobile poultry processing unit (MPPU) program. MPPUs involve the use of small mobile trailers with poultry processing equipment mounted on the top of the trailer. Because these units are mobile, they allow for use by multiple entities across a wide geographic area to share the equipment, resulting in a cost-efficient method of poultry processing for small-scale farmers in the Commonwealth.

The United States Department of Agriculture (USDA) Food Inspection Safety Service (FSIS) has not conducted any studies on the risks associated with the utilization of MPPUs.¹ MDPH Deputy General Counsel Madi Piper contacted Laura Hulsey, D.V.M. at the Food Safety and Inspection Services (FSIS) Technical Service Center to ask whether FSIS had any data or risk assessments associated with the use of MPPUs. Ms. Hulsey informed Madi that FSIS had no data and had not done any risk assessments. She referred Madi to Washington State University and the University of Kentucky.

Sometime in 2005 or so, the New England Small Farm Institute (NESFI)² received funding from the USDA³ and MDAR⁴ to develop a prototype MPPU for use on small farms in Massachusetts. The MPPU project coordinators are Judith Gillan of NESFI and Jennifer Hashley of New Entry Sustainable Farming Project (NESFP). Jennifer Hashley is also co-owner of Pete & Jen's Backyard Birds of Concord, the first small farm to pilot the MPPU in the Commonwealth.

The need to pilot a program was largely related to the lack of available resources to dedicate to a new program, particularly in light of the serious economic decline in

Massachusetts and nationally. The need for adequate resources is critical in MA given that the federal government, i.e., the United States Department of Agriculture (USDA), has not adequately evaluated the potential health risks associated with the use of MPPUs.

**B. Massachusetts Statutory and Regulatory Framework:
Massachusetts General Laws and MDPH Regulations related to
poultry slaughtering**

The state statutes applicable to poultry slaughtering are found at M.G.L. c. 94, §§118 – 139B. Under the state statutory scheme, the MDPH has responsibility for licensing and inspecting all slaughtering “establishments” or “official establishments”⁵ in the state⁶, and for issuing rules and regulations governing licensing and inspections of establishments and persons engaged in the slaughter of livestock or poultry (M.G.L. c. 94, §§ 119 & 120).

Sections 119⁷ and 120⁸ require slaughtering “establishments” to be licensed and inspected by the Department. The words “official establishment,” “plant,” “slaughterhouse,” and “establishment” are used somewhat interchangeably throughout the statutes and regulations. “Official establishment” is defined in section 118 as “any establishment as determined by the department at which inspection of the slaughter of livestock or poultry or the preparation of livestock products or poultry products is maintained under the authority of this chapter.” (M.G.L. c. 94, § 118) It is defined the same way in the regulations at 105 CMR 532.001, “Inspection of Poultry and Poultry Products.” The regulations at 150 CMR 530.000, “Sanitation in Meat and Poultry Processing Establishments,”⁹ define “establishment” or “plant” as “any establishment which conducts slaughter of livestock or poultry or the preparation of livestock products or poultry products.”

The term “official establishment” appears to derive from or parallel the federal Poultry Products Inspection Act (PPIA), which uses the term to refer to poultry processing and slaughtering facilities subject to “continuous inspection” of poultry by the FSIS (or by states with a cooperative agreement). (See 21 U.S.C. § 453). Similarly, the Massachusetts regulations are directed to slaughtering establishments, plants, or facilities

at a fixed location, which was the only type of slaughtering facility that existed when the regulations were adopted.¹⁰ FPP licenses and inspects 28 slaughtering establishments in the state.

As noted above, a person engaged in the slaughter or processing¹¹ of poultry must obtain a license from the Department of Public Health, renewed annually (M.G.L. c. 94, § 120). The application for a license must state the names and addresses of persons carrying on the slaughtering business and must state the location of the establishment and other information that the Commissioner of Public Health may require by regulation.

The Commissioner is specifically authorized to exempt the following types of operations from the provisions of the slaughtering statutes: (1) those who slaughter their own poultry for personal use, or for use by household members, nonpaying guests and employees (personal use exemption) and (2) “any other operations which the commissioner may determine would best be exempted to further the purposes of [the slaughtering statutes], to the extent such exemptions conform to ... the Federal Poultry Products Inspection Act, as amended [21 U.S.C. § 451 *et seq*], and any regulations there under.” (M.G.L. c. 94, § 130)

The regulations governing poultry slaughter and processing at 105 CMR 532.000 (as well as the other MDPH regulations governing meat and poultry) were adopted many years ago when MDPH had a Meat and Poultry Program that provided continuous inspection of slaughtering facilities. MDPH is now working on comprehensive amendments to these regulations. The following discussion summarizes the current provisions of the regulations.

The regulations include several exemptions from continuous inspection. The following are relevant to the MPPU pilot project.

(1) “Producer exemption” for farmers who raise their own poultry and sell it directly to household consumers or restaurants, hotels, and boarding houses for use in their own dining rooms or in the preparation of meals for sales direct to consumers only (105 CMR 532.200). Under the same regulation, such poultry producers may not engage in buying and selling poultry products other than those produced from poultry raised on their own farms, and they may not slaughter or process the products of more than 5,000 turkeys or 20,000 chickens in a calendar year. Furthermore, under 105 CMR 532.400(A), “Interpretation and Statements of Policy with Respect to Producer Exemption,” producers under this exemption may do certain additional acts (such as

selling to hospitals) and are prohibited from others (such as shipping in commerce poultry or products that have been processed by a person other than the producer).

(2) “Slaughter-processor” exemption for people who slaughter and process poultry for “distribution by [them] directly to household consumers, restaurants, hotels, and boarding houses for use in their own dining rooms, or in the preparation of meals for sales direct to consumers.” These processors may not “engage in the current calendar year in the business of buying or selling any poultry or poultry products other than as specified” in this section of the regulations.(105 CMR 532.202).

(3) “Custom slaughter” exemption for the personal use of the owner of the poultry. Under this exemption, the custom slaughterer may not “engage in the business of buying or selling any poultry products capable of use as human food” (105 CMR 532.204). Exempt persons are subject to inspection by the Food Protection Program to determine whether they are in compliance with the exemption requirements (105 CMR 532.208).

Under 105 CMR 532.207, the Director of the Food Protection Program may “by order suspend or terminate any exemption” with respect to any person whenever she “finds that such action will aid in effectuating the purpose of M.G.L. c. 94, §118 *et seq.*” The regulation specifically provides that “failure to comply with the conditions of the exemption, including, but not limited to, failure to process poultry and poultry products under clean and sanitary conditions may result in termination of an exemption, in addition to any other penalties provided by law.”

The federal PPIA also provides a custom slaughter exemption. A 2006 USDA Guidance Document interpreting the PPIA exemptions includes this statement about the use of an MPPU by a custom slaughterer:

A custom slaughter business may use a mobile slaughter/processing unit to custom slaughter and process poultry. There is compliance with the requirements of the Act and regulations when the owner of the poultry delivers poultry to a mobile slaughter/processing unit operated by a custom slaughterer provided the slaughtered or processed poultry is for the personal use of the owner of the poultry. The owner of the poultry may deliver the poultry to the mobile slaughter/processing unit located at his or her own premises or any other person’s

premises. (Guidance for Determining Whether a Poultry Slaughter or Processing Operation is Exempt from Inspection Requirements of the Poultry Products Inspection Act, USDA, April 2006)

II. The MPPU Pilot Program in Massachusetts

The 2008 Pilot: June – November 2008

The MPPU pilot program has been conducted over the past two years (seasonally) including the summers/falls of 2008 and 2009. The 2010 season is expected to end the 3-year pilot program.

In 2008 there were three participants in the pilot: Green Horn Farm in Amherst, MA; Pete & Jen's Backyard Birds in Concord, MA; and Codman Farm in Lincoln, MA. Poultry processing began in June, 2008. The MPPU unit was housed at the New England Small Farm Institute in Belchertown (NESFI). NESFI also facilitated the upkeep and transport of the unit.

The first use of the mobile poultry processing unit (MPPU) was on June 13, 2008 at Green Horn Farm in Amherst, MA, where approximately 200 chickens were processed. Pete & Jen's Backyard Birds in Concord, MA processed 192 chickens later in June. During the first uses of the unit, several deficiencies and/or problems were identified by the MDPH inspector who was present. This is not unexpected at the beginning of any pilot program. There was no standardized training program available to participants this first year. (The 2009 participants were "trained" by helping out on the unit at another location before their first use).

One significant problem noted during the June 2008 processing dates was initial insufficient cooling practices during the cooling step on the eviscerated chicken before packaging. This problem arose due to a number of factors: time of year and ambient air temperature during processing; insufficient amounts of ice used due to an underestimate of what would be needed to cool the birds; inadequate amount of time anticipated for birds to be in cooling baths to reach desired temperature of <40° F; too many birds processed in one day with an inadequate number of employees to work on the unit

coupled with a lack of experience with procedures resulting in long processing days with inefficient results. One processor used cryovac bags initially which appeared to hinder significantly cooling of the refrigerated carcasses. It is strongly recommended that loose plastic bags be used for packaging MPPU processed chicken rather than cryovac bags. Another problem was that there was no mechanism for keeping flies away from the birds.

Early adjustments to the process included changes to the chill tank and refrigeration units to achieve better cooling of the birds both pre- and post-packaging. Chill tanks were encased in thermal insulated material to help reduce cooling loss to ambient air temperatures. On-farm refrigeration units were adjusted down a few degrees to compensate for large amounts of poultry being stored for cooling. Additional supplies of ice were purchased in advance of the processing date.

All three participants had processing dates in July 2008. Green Horn Farm processed approximately 205 chickens on two days. There was a marked improvement in establishing the working process and using the unit. There were no deficiencies noted on the inspection report for the July dates for Green Horn Farm. Pete & Jen's Backyard Birds processed 229 chickens in July. The deficiency noted at Pete & Jen's was that no hot water was available to the handwash sink in the unit on the day of processing. This was the first indication of this problem, which continued to occur throughout the 2008 season without adequate resolution. Codman Farm in Lincoln, MA joined the pilot program in July 2008 and processed 50 chickens on their July processing date. Deficiencies noted included that the hot water unit did not provide hot water to the handwash sink on the unit.

Green Horn Farm again processed for two days in August 2008 with approximately 200 chickens processed. Deficiencies noted included that the packaged chicken was measured at 60-80° F by the inspector, indicating a lack of sufficient time in the chilling bath before packaging. The numbers of chicken processed during one day on the unit directly impacts the amount of time the chickens usually remain in the chill tanks. The greater the numbers of chickens processed, the greater the chance for inadequate cooling time, as the space constraints of the unit can lead to packaging before all birds are cooled. The more chickens there are in the baths, the quicker the

temperature of the water rises. FPP recommends additional cooling baths, a larger area, and/or fewer chickens processed in a specified timeframe to alleviate this problem.

Codman Farm processed 60 chickens during September 2008 with no noted deficiencies on the inspection report. Green Horn Farm processed approximately 190 chickens over a 2-day period in September. On both processing days the hot water to the handwash sink was not functioning on the unit. Pete & Jen's Backyard Birds processed 270 chickens in September with no deficiencies.

Codman Farm processed 87 chicken and 8 ducks in October, with deficiencies noted on the inspection report related to sanitizer strength (made by operator) at >400 ppm chlorine. An FPP inspector instructed the farm to use the correct sanitizer strength and assisted staff in making a correct solution. In addition, the hot water in the scalding did not meet the required temperature. Corrective action taken was to boil water on an inside stove and add to the scalding. During this time, no backflow was on the hosebibs on the unit, Codman staff were instructed to remove jewelry, and the FPP inspector also recommended sanitizing thermometers between each use. Green Horn Farm processed approximately 240 chickens over a two-day period in October. The deficiency noted involved packaged birds that had not been cooled to 40° F or below before packaging. As mentioned, high numbers of birds processed in one day adds stress to the process and results in this deficiency. Pete & Jen's Backyard Birds processed 220 birds in October.

Greenhorn Farm was the only participant to process birds in November of 2008. They processed approximately 290 chickens over a two-day period. Deficiencies noted included inadequate hot water to handwash sink; unit heater not repaired. A crack was noted in the plastic tubing to one station on the evisceration table. In addition, for several of the Green Horn Farm processing dates throughout 2008, the production date was not placed on the label as the batch code. The production date must be placed on the label for the day's production.

2008 Summary

In addition to the deficiencies described above, packets of records from days of production were not always complete or received by FPP from all participants. Hazard

Analysis and Critical Control Point (HACCP) records for each day of production should be copied, assembled and sent to FPP during the pilot period. These records include:

- flock health certificate
- MPPU use report noting the firm name and production date and including:
 - personnel log
 - farm inspection and pest control
 - personnel health and hygiene assessment
 - daily log of pre- and post-operation inspection and sanitation
 - daily log of operational sanitation maintenance
 - daily log of chill tank and refrigeration temperature monitoring
 - giblet, gizzard, etc. bucket temperature monitoring
 - daily log of poultry carcass and giblets final inspection
 - daily log of carcass and giblet internal temperature monitoring
 - signed biosecurity protocol sheet
 - signed MPPU processing water sheet
 - solid waste management sheet

The FPP goals for the 2009 season included the training component of MPPU use that should be developed and implemented for all participants. FPP strongly suggested that all MPPU users take an accredited food protection management course and become certified as food protection managers. While not specific to poultry processing, this is a basic food safety course which is readily available statewide and easy to obtain by most individuals.

In 2008, the MPPU unit in general was functioning well for its intended use, however, the hot water system needed improvement or repair. Hot water was needed for the handwash sinks on the unit. The operators needed quick and efficient access to hot water and sufficient quantities to last the entire day. Another suggestion is for additional cooling bins. The daily limit of 200 birds was discussed for the unit. Based upon the inspections conducted and procedures noted, FPP determined that 200 birds in a one day period stressed the machine's capacity. Additionally, there needed to be adequate workers to handle all the tasks. This would mean at least two on the kill side; three at the evisceration table; one or two for taking temperatures and packaging and refilling ice;

and one “runner” who makes sure there is enough ice and hot water, moves buckets to the compost pile, and does general clean-up. Any fewer staff than the number suggested results in potential deficiencies such as temperatures not being recorded or taken in a timely manner, staff performing multiple tasks with the potential for cross contamination, insufficient supply of ice or hot water, carcasses being moved to the packaging step before being adequately cooled, or the machine not be adequately cleaned and sanitized due to staff exhaustion after the day of processing.

The 2009 Pilot: June – October 2009

In 2009 there were four participants, but one (Codman Farm) opted out after their first processing date. The remainder of the 2009 season had three participants (two returning from 2008 and one new participant).

In general, the processing dates in 2009 and the inspection reports showed improvement in comparison to the 2008 season. This could, in part, be attributed to the required training session (held in Belchertown in May 2009), coupled with the fact that two of the three participants in the pilot this year were returning producers. The reports generated from Pete & Jen’s Backyard Birds inspections noted strong compliance with the procedures established for the MPPU pilot. This producer consistently demonstrated an ability to have adequate staff present (12-13 most days) to deal with higher numbers of poultry being processed, as well as keeping adequate and detailed records, and close monitoring of critical control points.

The inspections reports for the processing dates for Green Horn Farm were similar. This was a returning producer who has shown improvement in attending to details related to record keeping, standard operating procedures and overall MPPU use. Chill times were within a 4-hour window and generally within 3-3 ½ hours. Green Horn usually runs with four helpers plus the producer.

The inspections for processing dates for the new pilot processor, Earthfire Farm in Ashfield, MA, were generally favorable. Earthfire usually runs their production days with five workers including the producers. There were some issues noted, however, regarding lack of test strips for sanitizing solutions and/or incorrect sanitizer strips for the

type of sanitizer being used. Early on in the season Earthfire Farm made the decision to increase flock numbers. However, due to their lack of experience and small number of workers, the production days were over-extended, resulting in reportedly long and exhausting work days. While the unit had been reserved for two days, the producers made the decision to process all the birds in one day and clean the next. This is contrary to the established operating procedures of the MPPU and general good manufacturing standards. Each production day needs to end with a thorough cleaning and sanitizing of all food debris and surfaces. Based upon the number of poultry being produced, this producer should have had twice as many staff present for processing. One additional note: on the last processing day, October 16, 2009, the air temperature on site was 30° F with light snow. This resulted in frozen water lines, sanitizers creating an ice glaze on surfaces, and health impacts to workers (i.e. cold and stiff fingers). Additionally, given the time of year, diminished day light hours served as a hindrance.

Island Grown Initiative of Martha's Vineyard has submitted a proposal for the 2010 season to have a similar unit on Martha's Vineyard. Currently, they have some equipment consisting of kill cones, scalding, and plucker. They reportedly transport the equipment on a trailer but it is not affixed to the trailer. When they arrive at the processing site, the equipment is taken off the trailer and is set up in sequence for processing. It is MDPH's understanding that the issues raised by the Department of Environmental Protection (DEP) related to their operation have not been completely addressed but the water and waste are to be handled in a similar manner: conserve water use, apply waste water to active growing fields or to compost. Solid wastes would go to compost. The area beneath the equipment is covered with a layer of wood shavings to absorb the liquids generated while processing. The Martha's Vineyard operation includes plans to have a crew of trained workers accompany the unit for a fee. However, producers would still need to have a physical presence in order to meet the requirements for an exemption. Their proposal, unfortunately, lacked a training program for users to assure that producers are trained in the use of the equipment. Also, the non-profit entity, Island Grown Initiative, has taken a limited approach to the proposal in that they indicate that they are only responsible for the equipment. Their proposal therefore involves a request for "approval of equipment," not an overall program for alternative slaughtering

procedures. The scope of this alternative method of processing (i.e. MPPU) by its very nature requires a comprehensive approach to all aspects of the industry, not just approving equipment. Processes and controls are in many ways even more important than the equipment itself.

III. Lessons Learned

As described previously, a small number of technical issues arose on a regular basis. Achieving the required temperatures was the most challenging aspect of using the MPPU—sufficient amounts of ice and temperature monitoring are critical. The operators seemed to grasp that this was a critical point and that a lot of effort would be necessary in order to maintain safety. Most processing days, even when air temperatures were not that hot (less than 85° F), the amount of ice required often surpassed what the operators initially thought they would need. It is possible that on days with greater temperature extremes, the volume of ice required would cause operators to exceed the amount of waste water allowed by DEP.

Other issues, such as proper use of sanitizers, testing the sanitizer, and having adequate supplies on hand were also addressed. On the whole, users were quick to comply in addressing deficiencies to strive for success. Many problems had to do with lack of familiarity with the unit. With more processing days these problems would doubtless be resolved.

The attrition from the use of the unit should also be noted. In spite of a robust turnout at the training in Belchertown, only one new operator signed up to use the unit in 2009. One dropped out early in 2009: Codman reportedly cited too much required for them to maintain the program. Later in 2009, Greenhorn Farm made the decision to move to Vermont.

A. Resource Impacts

One clear observation relates to the resource demands required of MPPU pilot participants. In order to keep costs down, a core of motivated volunteers are routinely

recruited. The FPP believes that food safety is best ensured with well-trained professionals, and this is considered a Good Manufacturing Practice. The pilot required a large commitment from the FPP in that an inspector was required to be present at every slaughtering. The continued use of a committed and trained volunteer work force presents enormous challenges. Is it realistic to expect a farm to maintain volunteers to help with their processing year after year? Hiring staff presents additional financial burdens. As producers strive to increase profits by increasing the number of birds raised and processed, the amount of work increases and the number of helpers required increases. Inspections have revealed that some producers, while increasing the number of poultry processed, decided to extend the work day and then leave the clean up for the following day. This is contrary to the MPPU training and Sanitation Standard Operating Procedure guidelines and will eventually result in deterioration of the unit and buildup of protein residues.

What is the demand for this type of bird? The processors are confident a large number of consumers are willing to pay \$5 per pound for a chicken. However, adequate data to support this claim does not exist.

There seems to be a perception among the users that because the MPPU is a special small-scale technology, the licensing fees should also be special and small-scale. This is in stark contrast to the fact that there is a sizable amount of paperwork and manpower hours generated by regulatory staff that has resulted in, at best, only a few thousand chickens coming to market.

Serious consideration must be given to the public demand for this product in relation to the enormous resource burden placed on the MDPH/BEH Food Protection Program.

B. Logistical Issues

Based upon the number of times it was used and the amount of poultry processed, the long term operational integrity of the equipment on the MPPU unit is unclear. The unit itself has had some breakage and mobility given that terrain in some areas has been

difficult. There have been some problems noted relative to cleaning and maintenance of all the equipment – the most troublesome has been the hot water heating mechanism.

IV. Conclusions/Recommendations

The 2008/2009 pilot program for the MPPU unit associated with NESFI model program provided useful information in helping to determine the issues, challenges, training, and resource needs associated with considering MPPU use on a larger scale. With significant state resources and assistance, pilot participants proved to be able to produce safe, locally-raised poultry for local venues such as farmers markets and CSAs. The MPPU pilot program guidelines and procedures achieved success with waste water disposal and composting of waste generated from the unit in an on-farm environment.

The use of this type of MPPU, however, seems limited to processing very small amounts of poultry. The unit would do better if not moved great distances. The individuals involved in the pilot, while enthusiastic, had a difficult time balancing profit, work load, and all the requirements of the pilot. Pilot participants strove to increase numbers of poultry produced for greater profit but while doing so increased the work load and the stress to the equipment, the volunteers' time and capacity, and the number of working hours in a day.

The source of MPPU labor (i.e. volunteers) is unlikely to be sustainable for producers who wish to continue this activity for extended periods. Without adequate numbers of trained workers, the process of producing fresh poultry on an MPPU may not be economically feasible. Alternative scenarios should be explored by interested parties for developing a local poultry industry in the state. Consideration of alternative scenarios such as regional processing locations might be useful. These permanent or semi permanent locations could be in various parts of the state so that farms in each area would have a place to go without having to transport the MPPU over the road. Processing dates could be scheduled and producers could sign up for a day or time to appear. The location could offer trained staff that would assist or perform all the processing.

A. Need for dedicated resources and funding to support continuance of pilot and/or expansion to other MPPUs

MDPH offers the following recommendations.

1. Continue with the third and final year of pilot program and limit participation to five farms.
2. If the MPPU pilot is proposed to extend beyond the 2010 season, additional resources will be required for supervisory food inspectors to conduct plan reviews of meat and poultry operations, assist with updating enforcement protocols, calculate inspector hours needed to assess temporary processing operations, schedule inspections, and develop industry outreach initiatives.
3. Funding will be needed for a full-time veterinarian to (1) assist with rebuilding MDPH's meat and poultry program that will operate in accordance with USDA laws and regulations, (2) assist with meat and poultry related foodborne illness outbreak investigations, and (3) conduct animal food/feed safety assessments.
4. Secure funding and approval for travel for meat and poultry training for Food Protection Program staff responsible for regulating meat and poultry operations.

B. Need for regulatory amendments

Secure funding for the legal office to revise meat and poultry regulations to define mobile meat and poultry processing units, and clarify licensure and substantive provisions for such units.

Tables

Table 1

Farms Participating in the MPPU Pilot Program

Farm	2008	2009
Codman Farm Lincoln, MA	Participated	Withdrew
Green Horn Farm Amherst, MA	Participated	Participated
Pete & Jen's Backyard Birds Concord, MA	Participated	Participated
Earthfire Farm Ashfield, MA	-	Participated

Table 2

The 2008 Season Totals

Approximate Numbers of poultry processed	
June	392
July	484
August	200
September	520
October	555
November	290
Approximate Total:	2, 441

Table 3

The 2009 Season Totals

Approximate Numbers of poultry processed	
June	440
July	48
August	209
September	525
October	415
Approximate Total:	2,069

** Note: One processor, Codman Farms, processed one date (June 29, 2009); no processing records received; this processor then decided to pull out of the pilot program for the remainder of the season.

Appendix: End Notes

¹ Per FDA e-mail to Madeline Grace Piper dated July 7, 2008

² NESFI is a non-profit organization located in Belchertown, Massachusetts on the 416-acre Lampson Brook Farmstead. NESFI was founded in 1978 to encourage sustainable regional agriculture and to promote small farm development. NESFI's executive Director is Judith Gillan.

³ As of May 2008, about \$185,000 in USDA funds had been spent on development of the unit and pilot project.

⁴ In 2007, NESFI, the New Entry Sustainable Farming Project, and Community Teamwork, Inc. were awarded a Massachusetts Agricultural Innovation Center Grant for Mobile Poultry Processing Unit Training and Replication, to create a Mobile Poultry Processing Unit to meet current and growing demand from small- to mid-scale poultry producers for on-site processing.

⁵ The term "official establishment" appears to derive from the federal PPIA which uses the term "official establishment" to refer to meat and poultry processing and slaughtering facilities subject to federal inspection. 21 USC §453.

⁶ According to an FPP inventory, there are 28 slaughtering facilities in the Commonwealth licensed by DPH. It is unclear how many, if any, of these facilities are subject to USDA inspection.

⁷ Section 119. "An official establishment or a person engaged in the business of slaughtering livestock or poultry or in the business of the preparation of such products shall be under the supervision of the department and subject to the inspection required by said department.

The commissioner of public health may issue orders and said department shall establish, and may from time to time amend, modify, repeal or suspend, rules and regulations, including uniform minimum requirements for the maintenance and operation of said establishments and to otherwise implement the provisions of sections one hundred and eighteen to one hundred and twenty-seven, inclusive.

If any establishment licensed under section one hundred and twenty is deemed by the commissioner to be operated or maintained in an unsanitary manner, or in violation of any of said rules and regulations, or not properly constructed or equipped for said business of slaughtering or preparation, said commissioner shall close such establishment until such time as it has been put in proper condition, and the department may also suspend the licenses issued under section one hundred and twenty if the required changes are not made within a reasonable time."

⁸ Section 120. “No person shall engage in the slaughter of livestock or poultry unless he has obtained a license from the department. No person shall process or manufacture meat or meat food products, poultry or poultry products, in an establishment unless he has obtained a license from the department. Persons engaged in the business of slaughter or [sic] meat or meat food processing or poultry or poultry processing, shall apply annually for a license. Such application shall be signed and sworn to by one or more of the owners or persons carrying on such business or if a corporation, by an authorized officer thereof. Such person shall state the name and address of all owners or persons carrying on said business except in the case of a corporation, the names and addresses of the officers of such corporation, and the location of said establishment or such other information as the commissioner may require. The fee for a license issued by the department shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.”

⁹ The regulations at 105 CMR 530.000 governing “Sanitation in Meat and Poultry Establishments” state that they are promulgated pursuant to M.G.L. c. 94, § 305A, which prohibits the sale, processing or manufacture of food in an unclean, unsanitary or unhealthful establishment, and authorizes the Commissioner to promulgate rules and regulations to enforce the section. Section 305A is not part of the slaughtering statutes.

¹⁰ The regulations include provisions governing outside premises, plant construction, lighting, ventilation, refrigeration, plumbing, water supply, drainage, waste disposal, equipment design, construction, installation and general use, dry storage, insect and rodent control, plant personnel and amenities for personnel, and “special sanitation requirements and problems.” (105 CMR 530.000)

¹¹ The statute defines “prepared” or “processed” as “slaughtered, canned, salted, stuffed, rendered, boned, cut up, or otherwise manufactured or processed in any way.” (M.G.L. c. 94, § 118)